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OCT 11 1883
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J. 28539 Q.4/3.
Q. 717

No. 232.

Confidential.

Legation of the United States.
Peking, 16th August, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Subject.

France and China.

Synopsis.

Confirmatory of certain cable despatches, anent crisis of — war between China and France.

No. 232. One Enclosure.

Confidential.

Legation of the United States.
Peking, 16th August, 1883.

To,
The Honourable
Fred.k T. Frelinghuysen.
Secretary of State.
Washington.

Sir,

As a further reference to my despatch No. 230, I have the honour to confirm certain cable despatches which have passed between this Legation and the Department

Department, and to give in-
detail the circumstances which led
to this transmission.

In my summary of the
various conversations with the
Grand Secretary Li, the Depart-
ment will have noted a tendency
in his mind to place his chief reliance
upon this Legation, for advice and
guidance during his troubles with
France. Although I was glad to
say or do anything that might
tend to maintain peace, there
were many difficulties. From the
outset the Viceroy and the
Government behind him were
like men in a condition of
panic. Although as prudent
statesmen

statesmen, kept well advised by their embassies, they should have known that communications with France, were impending. The sudden recall of M. Bourée, and M. Fricon's coming with imperative instructions came upon them with surprise. The various Legations, the American among the rest had been watching events in Annam with interest. The Department will remember, as shown in my dispatch No. 159 that as far back as March, 20th, I instructed the Secretary of Legation, to question the Viceroy on the subject.

It is possible that the negotiations

negotiations with Mr. Bowrée, — which were prolonged during the winter, and the belief which was natural, that that minister had the right to speak for the Government whose commission he held, may have led the Chinese to feel that in dealing with him they ~~were~~ dealing with France, and that in coming to an understanding they were satisfying all the demands of France. But when all was changed by the sudden recall of Mr Bowrée, and the disavowal of his cause, the Government was, as it were puzzled and paralyzed. —

There —

There were urgent doubts for war, and I am persuaded that there was not one among the rulers who did not crave war. I know that when I first saw the Grand Secretary Li, he did not hesitate to say that the course of France left China no course but war, and that he himself was prepared to go to Annam and command the Chinese armies.

The process of reasoning which led to a change in this policy, I endeavoured to describe in my dispatch No. 230.

When the Viceroy finding that he could come to no

understanding

understanding with Mr. Tricou, resolved to virtually break off negotiations and return to Tientsin he sent me an urgent message, asking a meeting. — I found him in much distress. He had been considering all manner of ways to escape from his complication with France. He had been telegraphing to the embassies in Russia, England and Germany to ask the friendly offices of these powers. Although the replies from England and Russia were cordial enough, and breathed good will towards China there was no definite offer of the kind of aid he sought. He therefore

asked

asked the assistance of the United States.

I asked him in what form "he would like our aid."

He replied with a laugh, "that what he would like would "be to borrow our army and navy."

I treated this remark as a jest and gave him my further attention.

His Excellency then said- "that he had been considering the "suggestion I had made in a former conversation, as to the "propriety of asking some power "to arbitrate upon the differences "between China and France. He

"had

"had heard and read many
"arguments upon the value of
"arbitration as a civilized means
"of settling international disputes,
"and he did not see why China,
"as one of the family of nations
"should not seek the good will
"of some friendly power. He was
"willing to refer all differences
"with France to any nation, and
"above all to the United States.
"He asked me whether my
"Government, would as a kindness
"to China undertake the office."

I replied "that it would be
"better", I thought "to instruct the
"Chinese minister at Washington
"to submit this question to the
"Department

"Department. It would be more
"appropriate to address the
"Government directly by his
"own officials than through our
"Legation"

His Excellency said, in
the abrupt haughty way, peculiar
to him, "that he did not have
"much confidence in the Chinese
"minister to Washington. That
officer "did not know much
"about diplomacy, never would
"understand what he wanted,
"and would spoil the whole busines."
For this reason "he was most
"anxious that I should address
"the Department, and say
"that I did so at his earnest
"request

"request".

I replied, "that of course I
"would be happy to make any
"communication to the Depart-
"ment, that might lead to Peace.
"In what I had said to His
"Excellency, as to the value of
"arbitration, I was thinking
"of what had been done towards
"settling an angry question
"between the United States and
"England. In any event a
"proposal to arbitrate, in good
"faith, on the part of China,
"would if France refused without
"sufficient cause, make the cause
"of China, stronger in the eyes of
"mankind."

The

The Viceroy said "he was
"in hopes that Russia and
"England would unite in any
"representations that might
"come from the United States.

I said to the Viceroy
"that he of course understood that
"the relations between France and
"the United States were of the most
"amicable nature, and that the
"utmost we could do would be to
"give good advice, as one neigh-
"bour might to another, good
"advice looking to peace."

The Viceroy said he quite
understood this, and "he would
"regard my sending the despatch
"as a great favour."

As

As a result of this came the despatches which I add as enclosures

It was not without some reluctance in my own mind - that I gave this consent, because I felt assured that France would, from what I knew of Mr. Tricou's instructions from Challemel - Lacour take a ground that - would make arbitration impossible. But my consent seemed such a relief to His Excellency that in the interests of good relations I promptly acceded to his request. His Excellency was good enough to - propose to pay the cable tolls upon

upon any message I might send.
But this offer, of course I declined.

I have the honour to be,
Sir,
Your obedient Servant.

Wm Russell Grace

– Enclosures –

Telegram (by cable) and
response.

Enclosure one.

Young to Frelinghuysen.

" "

(By Cable.)

Negotiations between Li and Ivieu broken. Li returns Tientsin to night. Affairs critical. Long conversation. Li requests Government use good offices. induce France. peace. Li says England and Russia consent but especially anxious America. Have said America only give friendly advice. but suggested China propose France. arbitration like Alabama. Li accepts.

France insists absolute concession all demands, threatening indemnity forty millions & penses & pedition.

This telegraphed earnest request Li.

Young.

- Telegram. -

Washington, July, 12th, 1883.

Young - Minister.

Shanghai.

Telegram received. This Govern-
ment cannot intervene unless
assured that its good offices
are acceptable to both. In such
case - would do all possible in
interest of peace. The U. S.
Minister at Paris has been
directed to sound French
Government and ascertain if
it will admit our good offices
in the sense of an arbitration
or settlement. -

Frelinghuysen.

Enclosure two.

Frelinghuysen to Young.

_____ " _____

(By cable.)

Washington - (no date.)

Young - minister - Peking. -

France appreciates suggestion arbitration, but ignorant of differences to be referred or demands of China.

France insists preservation existing treaty stipulations and right to continue pursuit against bands in Annam and Tonquin.

All this informal. -

Frelinghuysen.

Received August, 8th, 1883.

DEPARTMENT OF STATE
OCT 11 1883
RECEIVED

Judge O'Connor —
this seems correct ?
Ack and approve Mr Young's conduct of the affair
as thereinset & Lapprecia
Le Connor
Oct 6th 1883

No. 233.

Acknowledged
Oct 8th 1883

Legation of the United States.

Peking, 18th August, 1883.

—

To the.

Honorable Fred'k T. Frelinghuysen.

Secretary of State.

—

"Subject.

Clearance of American barque —

"Pearl." —

—

— Synopsis. —

Mr. Young encloses correspondence, shewing the release of the barque from the payment of the duties, at the request of the — Legation. —

—

No. 233. Five Enclosures.

Legation of the United States.
Peking, 18th August, 1883.

To the,
Honourable Fred'k T. Frelinghuysen
Secretary of State.
Washington.

Sir,

In my despatch No. 212 I informed the Department of the action taken by the Legation in the case of the release of the American barque "Pearl" by the Vice-Consul General at Shanghai, without the payment of duties. I held that the express stipulation in Article

22nd

22nd of our Treaty with China — made the ship in all cases — responsible for the duties, and even went so far as to impose a penality upon any Consular — officer who disregarded the — mandate.

I have now the honour to enclose some correspondence 1.2.3. 4.5. with the Foreign Office, and with the Consul General on this subject. Prince Kung calls the attention of the Legation to the violation of the Treaty in a firm despatch, points out wherein the Vice Consul General failed in his duty towards China — and asks me to direct that officer to pay to the Chinese Government

the

the amount of the duty owing by the "Pearl".

In my response to His Imperial Highness, I point out that even before I had received his note, in the exercise of my authority as Minister, I had called the attention of the Vice Consul General to his proceeding and disavowed it; (as per enclosure in No. 212.) Admitting the correctness of the position taken by the Chinese Government, and regretting that anything had been done by an American Official, that might look like a disregard of the Treaty. I dwelt upon certain hardships in the case of the master of the "Pearl"

"Pearl", which I was sure His Imperial Highness would consider that there was no intention on the part of the Vice Consul General either to ignore the Treaty, or want in respect to the Chinese Government, and that in releasing the barque "Pearl", with her duties unpaid he was acting with undue zeal, perhaps, but as he believed for the interests of an American seaman. I conceded, that by the terms of the Treaty, the Vice Consul General was personally responsible for the amount of this duty. But I expressed the hope, that as the Legation had given instructions to prevent

the

the action from becoming a precedent, and had shown in this case its sincere resolve to maintain the integrity of all treaty covenants, whether made a matter of complaint by China or not. His Imperial Highness would not insist upon the penalty involved, and would consider the question at an end.

His Imperial Highness in his response accepts my suggestion, and withdraws his demand that the duties should be paid by the Vice Consul General.

I trust, my action will meet with your approval. At a time, when this Legation, in common with the Legations of other

powers

powers, is pressing upon China the necessity of a strict observance of treaty rights. I did not regret the opportunity, which this case afforded, of shewing that the United States was ready, at all times, without awaiting for remonstrance or suggestion from China to insist upon American citizens, and especially American officials holding sacred all treaty stipulations.

I have the honour to be,

Sir,

Your obedient servant

Enclosures.

Enclosures.

1. Prince Kung to Minister Young.
   No 44/1883. 24th June, 1883.
2. Minister Young to Prince Kung.
   No. 47/1883. 27th July, 1883.
3. Prince Kung to Mr. Young.-
   No. 49/1883. 2nd August, 1883.
4. Minister Young to Prince Kung.
   No. 51/1883. 8th August, 1883.
5. Minister Young to Mr. Denny.
   No. 76. 14th August, 1883.

No. 444/1883. Enclosure One.

Prince Kung to Minister Young.-

Peking, June, 24th, 1883.

Y. E.

Upon the 17th instant, I received a communication from the Southern Superint. of Foreign Trade covering a report from from the Customs Intendant at Shanghai, who had been informed by the Commissioner of Customs of the following facts.

The American barque "Pearl" entered the port with a cargo of soft-wood planks and timber. The usual application was made to the customs by the British firm of Chapman, King & Co., from whom import duty on the cargo to the sum of Taels 254 787/1000 became due. The firm failed, and could not pay this amount. The U. S. Consul-General requested port clearance for the vessel, and declared his intention to assume the responsibility of surrendering the ship's papers to the

captain

captain. The Commissioner of Customs held that if the U. S Consul assumed this responsibility he ought to make payment of the duty in full. Consul General Cheshire held that if the port clearance was not given the vessel could not leave the port, but that he should deliver the ships papers to her captain and allow him to go to sea and that he must not be held to have violated the Treaty.

The Customs Intendant thereafter in accordance with treaty stipulation asked the Consul General for the amount of unpaid duty, to which Mr. Cheshire replied that he became responsible for the clearance of the ship but not for the duties on her cargo.

The vessel in question having brought cargo into port according to treaty no port clearance could be granted her, until all the duties were paid. The action of the Consul General in surrendering her papers and

allowing

allowing her to go to sea without the payment of the duties legally owing, - is a manifest violation of the treaty - and the regulations.

The 22nd Article of the U.S. treaty stipulates plainly that if the Consul - "permits a Ship to leave the port "before the duties and tonnage dues "are paid, he shall be held responsible therefor." In the case under review, since the Consul did not enforce the payment of the duties due by the ship but surrendered her papers, the amount in question - ought manifestly to be paid by the Consul.

It is my duty to address you in these terms, and to request that the necessary orders to secure such payment may be issued. -

47/1883. Enclosure two.

Minister Young to Prince Kung.

Pekin, July, 27th, 1883.

Y. I. H.

I have had the honour to receive your despatch of the 24th June, in the case of the American barque "Pearl", in which Y. I. H. complains of the action of the Vice Consul General at Shanghai in allowing that vessel to leave port before the import duties on her inward cargo had been paid, - and request me to order the payment of the duties by Mr. Cheshire. - &c - &c -

The attention of the Legation was called to this case some time since by the Consulate General and the circumstances fully reported to me. It was promptly acted upon, and Mr. Cheshire was informed that his action was wrong, that the terms of the treaty made the ship responsible for all duties upon cargo carried by her, that these

duties

duties must be paid before the ship could be legally cleared, and that he should have observed the letter and spirit of the treaty. And the Consul General was warned that the treaty must be carefully respected in similar cases in future.-

H. I. M. will see from this that it is the most earnest desire of this Legation to respect the sacred character of our treaties with China and that even before the Imperial Government had rec'd. a report from the Customs Intendant at Shanghai, action had been taken in consonance with the views expressed in your despatch.

At the same time, and granting the entire justice of the position taken by H. I. M., and regretting that the Consul General did not take the course which the treaty provides, there are certain questions of hardship in this particular case which I am sure H. I. M. will not fail to consider.

1st

1st There was no intention on the part of the Captain to violate the revenue laws or the treaty.

2nd The Captain had no interest in the cargo of lumber and had faithfully performed his duty when he had brought it through the perils of the sea to Shanghai.

3rd There was of course no idea either in the mind of the Captain or of U. S. Customs authorities that, within a few days, before in the ordinary course of business, the duty would have been paid, the firm to whom the lumber belonged would fail, else there would have been no difficulty in holding the cargo for the duty.

4th The Vice Consul General believed that he was endeavoring to serve American interests by releasing the Captain of the Ship from what might have been an endless detention in Shanghai to the detriment of his business, and depriving him of his livlihood.

livelihood.

5th While the amount of duty involved is not large, to enforce the payment of it by the Captain, a man of humble means, or by the Vice Consul General, would be an undue severity.

These and other considerations will naturally occur to Y.E.H.- If this were a case of wanton violation of treaty, either on the part of the Vice Consul General or the Captain, if there had been any intention to interfere with the just rights of H.M.'s Government, such for instance as smuggling opium, the Legation would not hesitate to enforce the penalty provided by the treaty. But before doing so now I venture to ask Y.E.H. to give a generous construction to all the circumstances, and to allow the case to rest with the action taken by the Legation - action which, as I have said, was taken before I had the

the honour to receive your despatch
– as a satisfaction of the demands
of your Government, and an
assurance that the violation of
treaty of which you complain
will not be made a precedent in
any Consular district under my
jurisdiction. –

I have &c. –

(Signed) Jno. Russell Young.

149/1883. Enclosure three.

Prince Kung to Mr. Young.

Peking, August, 2nd, 1883.

Y. E.

Upon the 27th ultimo, I had the honour to receive your despatch in the case of the American barque "Pearl" at Shanghai, in which you informed me that the attention of the Legation was called to this case by the Consulate General some time ago and that, in advance of the receipt of my despatch, the Vice-Consul General had been informed that his action was erroneous and warned that the treaty must be carefully respected in future in all similar cases. You admitted the justice of the position assumed by me in the premises and expressed the hope that the case might be allowed to drop with the assurance that such action will not be allowed to occur

occur again in any Consular
district under your jurisdiction, —
etc. — etc. —

In response I beg to remark
that in this case since the Vice Consul
General assumed the responsibility
of delivering over the ships papers,
he ought to make payment of the
amount of import duty due from
her in accordance with Article XXII
of the United States treaty. But as
you have held that the Vice Consul
General had acted in error in the
premises, and had cautioned him
prior to the receipt of my despatch,
your regard for justice is abundantly
manifested, and I have instructed
the Southern Superintendant of
Foreign Trade to issue orders that
the case be allowed to drop.

Only, in the transaction of
business between our Governments
manifestly the treaties and regulations
must be held as of importance. —

As

As you have already warned the Vice Consul General that in a similar case in future the treaty must be carefully respected, and that similar occurrence should not occur again in any Consular District, under your jurisdiction. I need only remark plainly that should a similar case arise hereafter at any port, it must be dealt with strictly according to treaty, and this case cannot be regarded as a precident. -

No. 51/1883. Enclosure four.

Minister Yeung to Prince Kung.

Pekin, August, 8th, 1883.

Y. I. H.:-

In the case of the American barque "Pearl" at Shanghai, I have had the honour to receive Y. I. H.'s despatch of the 2nd instant in which Y. I. H. informs me that orders have been sent to the Southern Superintendent of Foreign Trade that the case be allowed to drop, but that Y. I. H. must remark plainly that should a similar case arise hereafter at any port, it must be dealt with strictly according to treaty, and this case cannot be regarded as a precedent.

I beg to express my most sincere thanks for this generous action on the part of Y. I. H.

I have &c.

(Signed) Jno. Russell Young.

No. 76 Enclosure five.

Mr. Young to Mr. Denny.

Peking, 17th August, 1883.

Sir,

As a further reference to the subject of my despatch No. 70 I have the honour to inform you that the Chinese Government has under the Provisions of Article XXII of our treaty with China, made a demand for the payment of the Vice Consul General of the Duties owing by the barque "Pearl", when her clearance was granted by your office.-

I have also to say that upon my representing to H. I. H. Prince Kung, the hardships that surrounded the case of the master of the "Pearl", and shewing that Mr. Cheshire in what he did, was animated by the desire to serve a countryman in distress, and suggesting that the demand

for

for the payment should be withdrawn
N. I. N., consents to do so - Although
orders had been sent to the
Southern Superintendent of Trade to
collect the amount, these orders have
been withdrawn. -

I am Sir. -

(Signed) Jno. Russell Young.

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DEPARTMENT OF STATE
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No. 234. One Enclosure.

Legation of the United States.
Peking, 18th August, 1883.

Forhē.

Honourable Fredk T. Frelinghuysen.
Secretary of State.-

— Subject. —

Drawbacks. —

— Synopsis. —

His Imperial Highness Prince of Kung assents to Mr Youngs proposition that Drawbacks be exchangeable for cash.

No. 234 One Enclosure.

Legation of the United States.
Peking, 18th August, 1883.

To the,
Honorable Fred'k. T. Frelinghuysen.
Secretary of State.

Sir,

In my despatches No. 123, dated, February, 7th, 1883 and No. 169, dated March, 23rd, 1883, I had the honour to submit to the Department, the complaints of certain American merchants in Shanghai - in reference to the - Customs Regulations concerning the

the repayment of drawbacks.-

There has been some delay in inducing the Yamên to come to a decision upon the question, but no more than is customary in the transaction of business with the Chinese Governments.

It is now my duty to report that Prince Kung in a despatch, which I enclose, has consented to certain amendments in the regulations, which I trust will meet the wishes of the merchants interested.-

I have the honour to be,

Sir,

Your obedient servant

Mr. Thomas Gray

Enclosure.

I. H. I. M. Prince Kung to Mr. Young.

No. 57/1883 13th August, 1883.

No. 51/1883. Informal.

Prince Kung to Mr Young.

Peking, August, 13th, 1883.

Y. E:-

You made inquiry some days since as to what action had been taken in your request that drawback certificates on native produce should be cashed on presentation.

This office is now in receipt of Inspector General Hart's opinion to the effect that drawback certificates may be received by the Customs Banks as equivalent to silver in the payment of every kind of duties. But if the holder of such certificate does not desire to use it in the payment of duties but desires to receive the money value of it, the certificate will be so endorsed by the Commissioner of Customs, and then it will be taken up and paid in cash by the Customs Bank.

Orders to this effect have been sent to the Northern and Southern

Superintendents

Superintendents of Foreign Trade.

Cards and Compliments.

Mr. Adee
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Rec'd by usual opportunity from Chinese Legation Oct. 22. 1883. Oct. 10 83 Cipher

No. 235.

DEPARTMENT OF STATE
OCT 11 1883
RECEIVED

Legation of the United States.
Peking, 18th August, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.-

Subject.-
Foreign Industries.-

Synopsis.-
Diplomatic Body address joint note to Foreign Office on Foreign Industries of native produce - His Imperial Highness in response, declares - uselessness of further discussion, - having addressed the several Secretaries of State on the subject.

Mr Davis.

This answer seems to be final and there is no prospect that China will recede and permit foreign manufactures to be established in China.

It is only one question at issue and the right contended for grows out of the Franco-Chinese treaty and comes to us by extension under the favored nation clauses. We cannot prejudge the French contention, which the Germans have made peculiarly their own) but adjusting the Chinese argument I see nothing to do but to wait. If the other Treaties mean what these Powers allege and China denies, then the establishment of the point contended for will benefit us in common with other foreigners.

Shall I write a brief instruction to Young, pigeon-holing the matter as far as we are concerned, and saying we do not favor discussing the question piece-meal at the several capitals, but regard it as one to be settled at Peking?

Oct 6.

No. 235. Two Enclosures.

Legation of the United States.

Peking, 18th August, 1883.

To the,

Honourable Fred.k T. Frelinghuysen,

Secretary of State.

Sir,

As a further reference to my despatch No 69 and in continuance of a discussion, which for some years has been at issue between the Foreign Office and the Diplomatic Body, I have the honour to enclose you a copy of the last joint note addressed the Government, by the Foreign Representatives

1/235.

2/235.

Representatives, as well as the reply of His Imperial Highness to the same.

It is not necessary, to repeat the arguments which have been so often advanced by my predecessors and myself. You will, however, note the declaration of Prince Kung - "that further discussion is - "useless". "The Chinese ministers" continues His Imperial Highness "with your several Governments, "have been made entirely familiar "with this discussion, and will "be able to explain matters to the "several Secretaries of State."

I have the honour to be,

Sir,

Sir,

Your obedient servant.

Jno. Russell Young

Enclosures.

1. Foreign Representatives to
His Imperial Highness Prince Kung.
No 25/1883. April, 3rd, 1883.

2. His Imperial Highness Prince Kung.
to Foreign Representatives.-
No 26/1883. April, 19th, 1883.

Despatch No. 235.
Enclosure 1.

No. 25/1883.

Foreign Representatives to
Prince Kung.

April, 3rd, 1883.

Y. I. H:-

The undersigned have the honour to acknowledge the receipt of Y. I. H. and Y. E.'s note of January, 20th being an answer to the joint note of the Foreign Representatives of November, 18th, 1882.

It is with sincere regret that the undersigned have seen from the Yamên's note that Y. I. H. and Y. E.'s still persist in the attempt to explain away the most undoubted rights granted by the treaties to the subjects and citizens of Foreign Powers residing in China under the faith and protection of these treaties. Under these circumstances

the

the Undersigned can see no advantage in continuing at present the discussion upon the subjects under consideration. They have transmitted to their Governments the Yamên's last note, as well as former correspondence on the subject, and they shall expect the instructions of their Governments before proceeding further in the matter.

At the same time while expressing their sincere regret that their endeavours to arrive at a satisfactory understanding with the Yamên should have remained without any practical result, the Undersigned think it their duty to draw the attention of Y. I. H. and Y. Es to the serious consequences which any attempt of the Chinese Government to infringe the rights granted by the treaties, as understood by the Governments of the Undersigned, would undoubtedly carry

carry with it.

Before closing this note, however, the undersigned, without wishing to reopen the discussion, think it necessary to reply to some of the allegations put forward by the Yamên in their last note and which, if they remain uncontradicted, — might be considered by the — Yamên and brought forward by — them in future discussions as — positive facts.

Y. I. N. and Y. E. state in the note that one of the points put forward by the Foreign Representatives was that foreign merchants, on paying the same duties as Chinese merchants, were at liberty to resell, according to their own pleasure at the port native produce purchased by — them.

This statement of the views — of the undersigned is not entirely correct.

correct. What they have stated is that foreign merchants, having paid the inland charges on native produce purchased by them in the interior, or having purchased such produce at the port, are at liberty to resell it according to their own pleasure at the port, and to forward it coastwise or into the interior, under the existing rules on the subject.

Y. J. H. and Y. C. further state that the general tendency of the joint note was to claim for foreign merchants certain advantages which for more than twenty years - they had not been enjoying.

To this the undersigned have to reply that, for ten and more years foreign establishments have existed at Shanghai and - some of the other open ports in - which the manufacture of native produce has been going on without

even

ever any objections being raised against it by the Chinese Government. No new claim has therefore been put forward by the undersigned, but the reassertion of rights stipulated for by the treaties has been rendered necessary by the attempt of the Yamen, first begun a year ago, to deny them.

With regard to the negotiations carried on by Sir Thomas Wade and the Yamen on the subject of the import trade, the undersigned begs to draw the attention of Y.I.H. and Y.E. to the statement made by Sir Thomas Wade that any arrangement intended to change the present mode of taxation of foreign imports could be only a provisional one, on probation, and that, before its introduction, measures would have to be adopted to serve as guarantees for the faithful execution

execution of the arrangement.
The proceedings of the Yamen -
during the negotiations on the
questions of import and Export
trade have however hardly been
such as to encourage the undersigned
to recommend to their Governments -
the adoption of the measures -
discussed between Sir Thomas Wade
and the Yamen. -

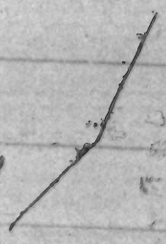
The undersigned seize
this opportunity - &c. &c - &c. -
(Signed) Von Brandt.
Minister for Germany.
- " - A. Bourée
Minister for France
- " - John Russell Young.
Minister for United States
- " - Ferguson
Netherlands minister
- " - de Roidans.
Belgian Minister
- " - Grosvenor
N. B. M. Chargé de Affaires
- " - Raeber

Waeber.

Russian Chargè d'Affaires.

Gil de Ubribarri.

Spanish Chargè d'Affaires. —



Despatch No: 235.
Enclosure 2

No. 26/1883.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honour to receive your joint despatch of the 3rd April, in the matter of the manufactures of native produce. In it you acknowledge receipt of my communication of January last and declare that it shows a desire on the part of this Office to explain away the most undoubted rights granted by the several treaties; that, under these circumstances you can see no advantage in continuing at present the discussion; that you have transmitted the entire correspondence to your Government

Governments, and that you will await instructions before proceeding further in the matter.

In this business, I have already set forth clearly and in detail the serious difficulties which surround it on several occasions, and there is naturally no occasion to annoy you with a further repetition of them.

But as you remark in your despatch that a reply was necessary to some statements made in my earlier communication lest they might at a later moment be brought forward as positive facts, so, in turn, there are certain remarks which must be made by me on the present occasion.

The despatch under reply declares that the right to manufacture at the open ports is most undoubtedly granted by

by the several treaties, a right which China now refuses to concede. I beg to observe that the several treaties were concluded more than twenty years ago, and that their stipulations in every point were long since put in force. How happens it that this one privilege alone of such immense concern to foreign merchants should have been unseen and not taken advantage of for this long period. It is quite evident without argument that this is really an attempt to initiate at the present time a new enterprise. Still further, of all kinds of merchandise none is unembraced in the tariff of duties. How is it then that the treaty tariff utterly fails to contain any provision for merchandise manufactured at

the

the ports? The proposition of N. E. M. von Brandt to levy one full duty on such merchandise is manifestly prompted by a desire to develop something out of nothing. If reference be made to the word "Kungtso", then it must be said that not only have the Chinese characters no such interpretation as that assigned to them by you, but the foreign phrase also has no such absolute and positive meaning. And, in a matter of such immense importance consent could only be given in case the language of the treaties contained the most explicit and precise stipulations upon the subject. How can two vague characters be held to embrace the whole question? To select out two characters from a treaty and to insist that these carry with them the consent of this Government in the matter

in

in question is unreasonable.
The subject has heretofore been dealt with in detail, and at the moment I only touch upon these important points.-

Your dispatch further states that at Shanghai and other ports foreign establishments for the manufacture of native produce have been in operation without a single objection having been raised against them by this Government. The inference from this is not warranted. In 1861, Sir Thomas Wade (sic C. N.) sent instructions to the several ports interdicting the establishment of warehouses by foreign merchants in the interior of China. Although there is a difference between the interior and the open ports, yet the treaties nowhere contain any explicit stipulation which would permit foreign merchants to

transport

transport native produce from the interior, manufacture it at their option at the open ports - and thereafter to dispose of it by sale. Manifestly the purchase of native produce at the port, its manufacture and sale would not only interfere with the business of Chinese merchants, but would also cause a loss to the revenue.

Recently unprincipled Chinese may have connived with foreign merchants in violating the laws for the purpose of gain. This can with difficulty be avoided. But local officers have investigated such cases and reported them, and such practices will not be permitted. Chinese merchants guilty of such conduct will also be appropriately punished as a warning to others. Of this intention it is presumed that the Consuls of the various ports

are

are aware.

In regard to the unauthorized establishment of manufactories by foreign merchants, if this office had been informed by the local authorities of the establishment of such enterprises at any point, it would at once have addressed itself to the Foreign Representatives with the request that orders be issued interdicting such establishments. How can an unauthorized enterprise of this kind be quoted as establishing a prescriptive right?

The despatch under reply charges this office with a desire to disregard the treaties. On the contrary the desire of this Office is, accurately stated, to see that the treaties shall not be violated. Thus, manifest stipulations of the treaties have, without exception, be put into effect by it, but

Stipulations

stipulations not distinctly found in the treaties cannot be added thereto. Chinese and Foreign business methods are essentially the same. Sometime since Sir Thomas Wade completed with China an arrangement for imports, but as the foreign mercantile class objected, the arrangement fell through.

Hence it is evident that it is difficult to go in the face of the opinions of the mercantile community. Aware of this, I did not address Sir Thomas Wade insisting that our agreement be put in operation.

And now in the manufacture of native produce at the ports, no arrangement was finally entered into with H. von Brandt because upon enquiry it was learned that the officials and people in the provinces were discussing and

examining

examining the question with the result that Chinese merchants were opposed to it, as with one voice pointing out the difficulties in the way, and hence an enforcement would be impossible.

I must add, in the terms of your despatch, that further discussion is useless. The Chinese Ministers with your several Governments have been made entirely familiar with this discussion, and will be able to explain matters to the several Secretaries of State.-

I must beg you to transmit all the observations and arguments presented upon this subject by me to your respective Governments for their consideration.

Peking, April, 19th, 1883.

To

To,

N. E. M. von Brandt.

Fee – Fee – Fee – Fee.

– " – A. Bourée.

Fee – Fee – Fee – Fee.

– " – John Russell. Young.

Fee – Fee – Fee – Fee

– " – Ferguson.

Fee – Fee – Fee – Fee.

– " – de Roidans. –

Fee. – Fee – Fee – Fee.

– " – Grosvenor.

Fee – Fee – Fee – Fee.

– " – Waeber.

Fee – – Fee – Fee – Fee –

– " – Gil de Aribarri.

Fee – Fee – Fee – Fee.

Sent by mail

No. 236

Legation of the United States.
Peking, 20th August, 1883.

DEPARTMENT OF STATE
OCT 20 1883
RECEIVED

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Subject.
Corean Treaty.-

Synopsis.-

Mr. Young will carefully bear in mind, Views, contained in Departmental No. 138., and - should occasion serve give assurance to the British Legation tending to an ampler convention of Treaty with Corea.

No 236.

Legation of the United States.

Peking, 20th August, 1883.

To the,

Honourable Fredk. T. Frelinghuysen.

Secretary of State.

Sir,

I have read with care and interest your "confidential" despatch No 138., dated June, 25th, 1883.

I note the views of the department in reference to a convention between England and Corea. - I have not had any information from the British Legation, as to the intentions of the London Cabinet regarding the

the Convention signed by Admiral Willes. My impression is, that Sir Harry Parkes, Her Britannic Majesty's Minister in Japan has been specially interested in all that concerns British interests in Corea. Sir Harry Parkes who has been gazetted Minister to this court will soon be here, and I may be then in a position to acquaint you with the intentions of his Government.

You say concerning the British Treaty with Corea, "if "the objections raised to the present "unratified treaty, prevent its "completion, this Government "would not feel concerned to "interfere-

interfere with the negotiation of
an ampler convention, and might
possibly aid therein in order to
secure its privileges." Should
occasion serve, I shall give this
assurance to the British Legation.

I have the honour to be,

Sir,

Your obedient servant.

Jas. Monroe

Ret by mo to file

No. 234.

Williams.

Legation of the United States.
Peking, 20th August, 1883.

DEPARTMENT
OCT 20 1883
RECEIVED

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Subject.
Wetmore's case.

Synopsis.

Mr. Cheshire misunderstanding purpose renders explanations unnecessary - No desire to censure Mr. Cheshire, but attributes course to overzeal and want of experience in failing to grasp merits and safety of Mr. Wetmore's interests.

No. 234.

Legation of the United States.
Peking, 20th August, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

I am in receipt of your despatch No. 1140, dated, June, 30th, 1883., enclosing certain correspondence with Mr. Cheshire, the Vice-Consul General in reference to the arrest of the compradore of Mr. Nelmore.

The judgment of the Department that Mr. Cheshire "misunderstood" the purpose of the Legation renders any further

further explanation unnecessary.

I do not wish to censure Mr. Cheshire, who is a meritorious official, nor to attribute his course to anything but over-zeal, and a want of experience. From the inception of the Tetmore case, - especially when the close of navigation made communication with Shanghai difficult and tedious, the Legation was in constant anxiety as to the action of the Vice Consul General, an anxiety which arose from the failure of every effort to make him understand the real merits of the case, or the methods that seemed wisest to safeguard Mr. Tetmore's interests.

I

I have the honour to be,

Sir,

Your obedient servant,

Jno. Russell Gray

Received Oct. 13 1883

No. 238.

W. Williams

Legation of the United States.

Peking, 20th August, 1883.

To the,

Honourable Fred.k T. Frelinghuysen.

Secretary of State.-

Subject.-

Helmore's Claim.

Synopsis.

Mr. Young deems it advisable to accept the alternative suggested by the Department, in leaving in abeyance Mr. Helmore's smaller claim, until such a period as it be fortified with the greater one.-

No. 238.

Legation of the United States.
Peking, 20th August, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 136 - dated June, 22nd, 1883., in reference to the claim of Mr. Wetmore. - In - this, you leave it to my judgment whether or not to present the minor part of the claim, namely five thousand taels at this time, or to await the orders of the Department in regard

to

to the whole claim, - namely fifty five thousand taels..

I have given the subject a- good deal of thought, and my judgment is that it would be better, using your own words, - "to postpone the presentment of this "particular claim, however just it "be deemed, until it can be determin- "ed whether it is to be fortified by- "presentation in common with- "the greater claim". As some months have passed since I last called the attention of the Yamên to Mr. Helmore's case, it may be wise, for me, on the next occasion of conference with the imperial ministers, to allude to the subject,

shewing

shewing that it is dormant not-
dead - and that the presentation
of the claim has been received, in
order that its merits be duly and
gravely considered.

Accepting therefore the
alternative course permitted in your
instructions, this will be the policy
of the Legation.

I have the honour to be,

Sir,

Your obedient Servant.

Ferdinand Leigh

No 239. Mail to Treasury Oct 13 Customs

2 copies sent to Bureau of Statistics K

Williams

Legation of the United States.

Peking, 20th August, 1883.

DEPARTMENT OF STATE
OCT 20 1883
RECEIVED

To the,

Honorable Fred.k T. Frelinghuysen.

Secretary of State.-

— Subject. —

Customs Gazette.

— Synopsis. —

Forwards three Copies Customs Gazette.- LVIII. April-June, - 1883. -

No. 239.

Legation of the United States.

Peking August 20th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

I have the honor to forward herewith under separate cover, three copies of "Customs Gazette, &c. "LVIII. April - June, 1883." as published by the Chinese Customs.

I have the honor to be,

Sir,

Your obedient servant.

[illegible]

No. 240.

Means

Legation of the United States.

Peking, August 20th, 1883.

John Russell Young to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Instructions numbers 136. 137. 138. 139. 140. and 141, and cipher telegram dated 4 August 16th have been received.

No. 240.

Legation of the United States.

Peking August 20th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

I have the honor to acknowledge the receipt of your instructions bearing numbers and dates as follows:— No. 136. June 22nd; 137. June 23rd; 138. June 25th; 139. June 27th; 140. June 30th; and 141. July 3rd.

I have also received your telegram in cipher dated August 16th. The letters

letters of the cipher appear to have been changed in the transmission of the despatch and hence the true meaning of it is somewhat problematical. As nearly as it can be interpreted it reads as follows:—

"Conditions suggested
"by Tseng submitted
"by Minister by direction
"with my additional
"suggestions. In
"consequence conference
"Tseng and La Cour
"held thirteenth".

I have the honor to be,
Sir, Your obedient servant

Jno. Russell Young.

Oct. 18
Oct. 8 '83
Cridler

Williams

No. 241. One Enclosure.

Legation of the United States.
Peking, 23rd August, 1883.

Mr. John Russell Young to.
The Honourable Secretary of State.

Subject. –
National Anniversaries.

Synopsis.

Chinese Authorities accept Mr. Von Brandt's suggestion for observance of national anniversaries.

No. 241. One Enclosure.

Legation of the United States.

Peking, 23rd August, 1883.

To the,

Honourable Fred.k T. Frelinghuysen.

Secretary of State.

Sir,

I have the honour to enclose a despatch from His Imperial Highness Prince Kung, upon a subject to which reference was made in my despatch No. 81, dated 20th December, 1882., namely the observance of national anniversaries by the representatives of foreign powers.. 1/241.

The Chinese Authorities it will be seen accept the suggestion made by M. von Brandt the German Minister

Minister, and to which the Diplomatic Body gave its assent.

The fact has interest as shewing a disposition on the part of the Cabinet to cultivate relations of courtesy with the nations represented at the Imperial Court.

I have the honour to be,

Sir,

Your obedient Servant.

Enclosures.

1. Prince Kung to Mr. Young.

No. 115/1883. 20th July, 1883.

No. 45/1883.

Prince Kung to Mr. Young.

In the winter, N. E. von Brandt, German Minister, furnished me with a memorandum setting forth that the various Diplomatic Representatives in Peking proposed upon the birthday anniversaries of His Majesty the Emperor, and Her Majesty the Empress Regent, i.e. the 28th of the 6th moon, and the 10th of the 10th moon, to fly the flags of the various Legations and to send cards of congratulation to this office. And it was suggested that upon the various national holidays the Prince & Ministers of the Yamên should send their cards of congratulation to the Legation concerned as a token of friendly feeling. - A list of these holidays accompanied

M.

M. von Brandt's note.

Reply was at once made that the period of Government mourning was not yet ended, and it was proposed to initiate this practice upon the 13th of July. It was further added that the Yamên had no means of information as to the holidays of other Powers not included in the list received, and he was requested to furnish me with information upon that point from time to time.-

It happened that the anniversary of the founding of the French Republic being July 14th, came most opportunely the day after the term of mourning expired, and hence this office, although no notice had been given in advance initiated the practice which will hereafter be observed upon all days wherein mutual congratulations should be exchanged between China and Foreign Powers in accordance with M. von Brandt's memorandum as

as an evidence of friendly accord. But as his list only includes the holidays of nine Powers, the new practice will at first be applied to these, and extended to other Powers as from time to time their holidays may be learned.

I inclose herewith a copy of the list as furnished me.

Hon. John Russell Young.
&c &c &c &c.

Paris, July 20th, 1883.

Ackd

No. 242 Legation of the United States. One Enclosure.

Peking, 25th August, 1883.

Mr. John Russell Young to The Honourable Secretary of State.

Subject.

Foreign Manufacturing interests.

Synopsis.

Mr. Young's opinion Cheapness of Chinese labour would undersell the world if foreign machinery were introduced. - England's policy in China, governed by this fear. Real objection is to foreign control of manufac-

tures

tures. The question is one that ~~~
government cannot influence either way.
Prince Kung's firm resistence noted, and
treaty so far as manufactures goes at an
end.- Americans practically, not
materially affected, interests being small.
Even were treaty revised, Chinese would
not concede the point.- Best to wait
patiently the march of events.-

No. 242. One Enclosure.

Legation of the United States.

Peking, 25th August, 1883.

To the

Honourable Fredk. T. Frelinghuysen,

Secretary of State.

Sir,

I have the honour to —
acknowledge your confidential
despatch, No. 184, dated June,
23rd, 1883, in which you ask the
opinion of the Legation upon
the important question — —
"whether, if feasible, it is
"desirable to convert China to
"the general adoption of —
"machinery and its substitution
"for

"for hand labour."

This is a subject to which I have given some thought as one of the most important considerations attending the discussion of the right of foreigners to manufacture. Every argument would go to shew that if the Chinese were to adopt Western methods in their manufactures, with their thrift, industry, intelligence, and the cheapness of their labour, they would be able to undersell their Western competitors in the markets of the world. The policy of Great Britain in dealing with the question has seemed to be governed by this apprehension.

This

This would arise from the fact that the British especially in cotton goods, have the larger part of the Chinese trade. No British statesman could look without apprehension upon the prospect of the looms of Manchester being transferred to Shanghai and Tientsin.

There are some Chinese statesmen who are not insensible to this, and urge a policy of progress. As I pointed out to the Department in my despatch No. 69 – the very men who were opposing Mr. Jardine's company for the manufacture of cotton yarn, on the ground that the introduction of machinery would destroy large

home

home industries, and throw in millions out of work, were themselves proposing to introduce machinery for the fabrication of cotton cloth, under a concession from the Viceroy Li.

The real objection was not to the use of machinery, but to its use for the benefit of foreigners. This expresses what might be called the "liberal policy" in China. The representatives of that policy - at the head of them the Viceroy Li, - are willing to have every agency of Western ~~civilization and genius~~ but only under absolute Chinese control. This was shewn in the China Merchants Steam Navigation

Company

company. This company began by purchasing as a plant the fleet of Messrs. Russell & C°. They have increased it. They have the monopoly of carrying the tribute rice to Peking. This monopoly alone, for which the government pay - an exorbitant freight makes the company a marked commercial success. Foreigners are employed by the company, as captains, mates and engineers, but no foreigner is allowed to hold shares.

This is the most striking instance of the operation of liberalism in China. It is not unfair to presume that should the

the Chinese adopt steam in their manufactures, as they have done in their coasting trade the same spirit would prevail.

The question it seems to me, is one which no action on the part of foreign governments can arrest or advance. If the Chinese choose to buy our machinery, as they are buying our arms of precision, if they engage the services of our skilled countrymen, and go on in their own way to do what is done in Lowell and Liverpool, we shall have to accept it as we do the rivalries of other nations. It is a contest in which the fittest

must

must survive. And while it is a contest that is to the interest of our manufactures and American labor I would not care to welcome it but we cannot avoid it.

The advantage of such enterprises as those of Mr Reamon in Cotton and Messrs. Russell & Co., in Silk is that we have Chinese labour controlled by American capital and American skill. Under present conditions I do not see what we can hope for anything better.

The Chinese will resist even this by every means in their power. They are doing so now, effectively, in plain defiance of the treaty. Nothing could be more

positive

positive, more peremptory than the attitude of Prince Kung for instance, as shewn in the enclosed despatch. The treaty so far as the right to manufacture goes is at an end.

1/242.

Practically American interests are not much affected. We have very few manufactures in China and I hear of no disposition on the part of Americans to crave that form of investment. Our people seek trade, to buy and sell silk, tea, shares, petroleum, and to realize quick profits and go home. The establishment of manufactures or of any form of patient, permanent

business

business, that required a residence — for a long time would not be welcome. The only inducement to organize companies would be to attract Chinese capital, and after the companies were floated upon the share market at a good profit, — foreign interest in them would die out.

It is impossible for the Legation in answering your despatch to go beyond the province of speculation. I see no reason for regarding the manufacturing question, so far as we are concerned as a practical one — nor do I apprehend that it will soon become so. It will be — difficult

— 1

difficult, if not impossible for us to maintain our rights to manufacture without a revision of the treaty. And nothing is more clear than that the Chinese would never in a new treaty consent to any such privilege. I see no course but to await with patience the course of events. Those interests that we have, like Mr. Tremmore's cotton project and Messrs. Russell & Co's silk business we are bound to protect. But beyond this, I do not think the government will be called upon to act.

I have the honour to be,

Sir,

Sir,

Your obedient servant.

Dr Rennenberg

Enclosure

1. N.I.N. Prince Kung to Mr. Young.

No 11/1883. March, 18th, 1883.

11/1883

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

I have had the honor to receive your despatch of recent date in reference to the proposed establishment by foreigners of a cotton yarn factory at Shanghai.

In January last I had addressed you with the request that you would instruct the Consul to cause the merchant interested to abandon his enterprise In your despatch now under reply you discuss the

the points raised in
my earlier communication
in a friendly spirit
and request me to
reconsider my position
You also state that you
have been informed that
the Southern Superintendent
of Trade had issued
Orders for the arrest of
Mr Wilmore's Compradore
and his transfer to
Nanking. And you enclose
copies of certain papers
&c, &c,

As to the "meaning"
of the phrase "Kung tso"
this Yamen has repeatedly
explained its position
to you and the other
members of the
Diplomatic Body. Not
only is the meaning of
the Chinese text clear
beyond

beyond all possibility of doubt, but the foreign test, although exceedingly broad in its scope, still, after the most careful scrutiny, carries no meaning which attaches to merchandise. Hence there is no ground for further discussion upon this point.

I note your declaration that your Government is desirous to consider well and in a friendly spirit the problems attending the government of a race of population and that it asks of China no advantage which it would not strive to return. Such has been the generous and friendly conduct

conduct of the United States in the past, a conduct which has been most gratefully appreciated and to which I referred in my earlier despatch and the inability of this Government to contribute to the establishment of foreign manufactures by foreigners at Shanghai is partly because of difficulties connected with the problems to which you refer, which difficulties were detailed in my earlier despatch.

In your letter under reply you say "if the treaty proves burdensome or oppressive to Korea, the true way is to make representation" through

through our Minister at Washington, and you assure me that such representations will receive prompt and friendly consideration. This Office has already instructed Minister Cushing to bring this question to the notice of the Secretary of State and to place fully before him the various difficulties which it brings to China. As your Government is only influenced by motives of friendship it assuredly will not attempt to force that which is impossible upon China.

With reference to your statement as to the arrest of the Compradore

comprador by the Superintendent of Trade, I may say that the local officers were under orders to prevent the establishment of foreign manufactures. Lin Shaoshah and Wang Kuming, the two Chinese concerned, joined in with the foreign merchants in taking shares in the company and thus unlawfully aided & promotion. Both Chinese and being manifestly guilty of a violation of Chinese law, there was no option but to punish them. Thereafter after they surrendered their shares in the company and gave up all connection

connection with it, the question as to whether they had been guilty of crimes against the State was not inquired into, and they were released. This is a power within the sovereign authority of China, and, as you say, cannot be discussed

In conclusion, for more than twenty years China has enjoyed relations of the closest profound amity with the United States, and will certainly refer upon no cause of injustice towards American merchants. But in regard to the manufacture of native products the treaties contain

contain nowhere an
explicit prohibition, and
the various Governments
have abandoned the
discussion of the question.
It would be manifestly
difficult to punish
American merchants
alone to organize
companies for the
manufacture of cotton
and silk fabrics by
machinery, as it would
result in a revival of
the whole question.
Further argument will
be but waste of pen
and paper as the
concession is an utter
impossibility.

It is my
duty to address you thus
plainly, and to beg you
to consider what I have
said in a spirit of justice

Hon. Jno. Russell Young
&c &c &c
March 18th, 1883.

Inclosing

No. 243. One Enclosure.

Unofficial and Confidential.

Legation of the United States.
Peking, 28th August, 1883.

Mr. John Russell Young to
The Honourable Secretary of State.

— Subject —

Smuggling of indecent pictures.

—

Synopsis.

—

Mr. Young glad to know that Consul-
Shepard's report exonerates the conduct
of Mr. Jenkins; but adverts and suggests
a radical change in consular system to
the procuring of properly trained inter-
preters.

No. 243. One Enclosure.

Unofficial and Confidential.

Legation of the United States.

Peking, 28th August, 1883.

To the

Honourable Fredk. T. Frelinghuysen.

Secretary of State.

Sir,

On the 10th January, I had the honour to send to the Department a complaint from Sir Robert Hart, the Inspector General of His Imperial Majesty's Chinese Customs, regarding an alleged violation of law by Mr. Jenkins, our Interpreter at Hankow. The matter was —

referred

referred to Mr. Consul Shepard, and
1/243. his report I now enclose.

Mr. Shepard exonerates Mr. Jenkins from any knowledge of the act committed in his name. While the Legation accepts this exoneration I cannot fail to see the disadvantage to our service of having persons in a post as responsible as that of an interpreters who holds the equivical position of Mr. Jenkins. He is not only as it appears a merchant, but a merchant who is reputed to represent only Chinese capital. In other words having no means of his own, and as Chinese tradesmen are always anxious to have foreign names to cover their business

and

and protect it from local exactions, his position as a merchant is only nominal, and he is at the mercy of his principals. The Department will readily see how any unprincipled Chinese merchant holding this relation towards Mr. Jenkins could use his name for purposes so nefarious as those complained of by Sir Robert Hart.

While the report of Mr. Consul Shepard therefore releases Mr. Jenkins from the suspicion of misconduct, it has been read with regret. It is a strong argument in favour of a radical change in our Consular system in China. If this system is worth preserving

preserving, and the growth of our trade, adds to its importance every day, it seems to me that Congress should provide for a corps of trained interpreters, who have no connection with trade, beginning as cadets, studying Chinese, growing up in the service and finding a career in consular appointments and promotions. This is the course adopted by England, Germany, Russia and other powers. With them an appointment to China means a career in China, and the consequence is that the government interests are served by trained and faithful

men

men who have no concern with business, and no ambition outside of their own official duties.

Our consuls are compelled to rely for interpreters upon missionaries, merchants or Chinese. To each of these classes there are objections. Many of the questions with the authorities concern missionary interests, a sore and ever recurring theme. Naturally, however faithful and frank a missionary interpreter might be, the fact that he was pleading the cause of himself or his colleagues would cripple his usefulness. To merchants the Chinese have an invincible

repugnance

repugnance. The objection to using Chinese interpreters is obvious. The consul is at the mercy of a man who is at the mercy of a Taotai or Viceroy. — more apt to say what was pleasing to the official than the stern — plain words it is sometimes — necessary to use.

This is a question, — however, of too much importance to be dismissed in this brief despatch. I am glad to know that Mr Jenkins has been relieved — from the imputation cast upon him. I am very sorry however, that it is possible, under our — service for gentlemen to be in —

such

such a position that any accusation of this a nature can be made, - or that we should have interpreters who are from business associations at the mercy of unscrupulous Chinese tradesmen.

I have the honour to be,

Sir,

Your obedient servant

[redacted]

— Enclosure. —

1. Mr Jenkins reported to Mr Young by Consul Shepard and Venerated. - May, 8th, 1883.

Private and Confidential.

Mr. Shepard to Mr. Young.

Hankow, May, 8th, 1883.

Sir,

Referring to your confidential communication of March, 22nd, in the matter of apparent violations of U. S. Laws, and Treaty Stipulations, on the part of M. A. Jenkins, I have the honour to

Report.

The subject has had my exhaustive attention, and I have gathered all the information upon it possible. The result is a full admission on the part of Mr Jenkins that the merchandize packages in question were intended to be transported to Ching Chung under Passes duly applied for by his authorized agent

agent at Ichang, under the belief that the cargo certificates correctly represented the contents, and without suspicion that any wrong was attempted, or that any concealed article was being smuggled through the customs, or into the interior marts.

With reference to the opium smoking apparatus Mr. J. frankly says he has, up to the time of your communication, frequently forwarded opium pipes, and materials of the nature referred to as of the seizure, openly and without suggestion of any impropriety. He avers he never imagined they were interdicted by either the letter or the spirit of the treaties, and thinks such a deduction would be overstrained, and might as well include any vessel or material used in packing or carrying opium, or the utensils used in its cultivation. He nevertheless

nevertheless declares he has neither wish nor intent to subvert, or evade, any decision of the higher authorities as to the meaning and intent of the Treaties, on any Commercial point. If, then, the decision of his minister be that these articles are contraband, and intended to be interdicted, he is willing to abide in good faith by such decision.-

As to the obscene pictures he avers that he was in ignorance of their existence, and should not be held responsible for his ignorance. The merchandize was forwarded on regular bills from Hong Kong to Ichang by the B. M. S. N. Co, and at the latter place came first within his control or Knowledge. Previous to its arrival at Ichang, the packages had been, or should have been, twice examined at the Chinese Imperial Customs - at Shai and at Hankow - and he was therefore justified in

assuming

assuming that the cargo certificates were correct. On these certificates alone he relied as the exponents of the contents, without suspicion that any wrong existed, or that any attempt at smuggling was being made by the concealment of articles, contraband or otherwise. He had, he think, a right to presume the manifests were correct, as his agent at Ichang rec'd them. On these, in due course of his business as forwarding agent, the usual transit pass was asked for, in the mere routine of the business. It was for the goods as represented that he wished the certificate, and not for anything fraudulently concealed, of which he neither had, nor could have had, previous knowledge. That knowledge could come to him only through the customs Examination, and it was their fault that the obscene articles were

were not detected earlier. He argues that the fault or guiltiness of introducing the articles to Chang, where they first came into his control, belong alone with Customs officials who had passed them so far, or to the original shipper, and not to the forwarding agent, who took them in good faith on their combined representations, actually, or by default of thoroughness in their duty.

Mr. J. does not in the least defend the circulation of such indecent matter, nor ever knowingly lends himself to it in any wise, but animadverts upon the traffic in all its modifications. At the same time he avers that from the degraded tastes of the heathen population, it is impossible not to be betrayed, at times, as in the instance under notice. Such pictures are everywhere in China,

and

and few shops exist where they are not to be found. They are in common circulation among all classes, and when such demand exists it will be supplied, by deception and indirection, if not openly.

The forwarding of foreign goods inland furnishes a most attractive medium for this indirection, and can scarcely be avoided from the nature of the business, and the ease with which such articles may be concealed. Unfortunately it is not in China alone that tricks and frauds are practised to cheat and defraud the revenue service. Sir Robert Hart's knowledge of the ingenuity with which smuggling is carried on in the Yangtze steamers continually, is doubtless extensive and definite. But he would scarcely hold the steamer officers responsible for the criminality which all the wisdom

wisdom of the Customs and the Steam ship companies combined have never been able to prevent. Mr Jenkins thinks his case and theirs are analogous in this, both are victims of Chinese — duplicity.

You are probably aware of the fact that nearly all the foreign goods sent inland on Transit — Passes, as provided by Treaties and Trade Regulations, are thus sent by foreigners who have — established themselves in that line of business. The privilege is, indeed, open to natives and foreigners alike; but as matter of fact it is only — foreigners who avail themselves of it. In years of observation and minute enquiry I cannot discover that natives ever ship or transport foreign goods to an interior mart under the Pass system. One Experienced Commissioner of Customs has informed me that he had never known a —

Single

single instance of a native sending such commodities into the interior, and did not think it had ever been done. A supposed reason for this, is, the fear of undue exactions from Lekin Stations, because the goods are foreign products; or a still more effective dread of official hostility and persecution if they aid in introducing foreign commodities to the people. Hence has arisen the necessity for foreigners to do the business, if we would have our manufactures taken into the interior at all. Foreign merchandize arrives at the Treaty Ports, and so far as the real owner is concerned, it is at its final destination. Foreigners who make a speciality of the Transit business here step in. They learn where the goods should go, apply to the foreign Customs for Transit-Passes, otherwise "duty paid-Certificates"

certificates" - and by junks or other conveyance send the merchandize to its ultimate market. Mr. J. has been in this business nearly a score of years. In the regular routine of his agency at Ichang, his authorized agent, Ling, so applied for a transit pass to ship the goods in question to Chung Chung. Ling is also an employee of the C. M. S. N. Co. who had conveyed the goods that far. and he avers he fully believed they were correctly stated in the invoice. I see no reason to doubt his statement, more than any statement of any chinaman for he had no interest in the goods, beyond that of applying for their transit in behalf of his employer, who was at Hankow and had never heard of the goods. I cannot understand why any question, or mystery should have been assumed as to

Ling's

Ling's signature. He was fully authorized to make the application, had done so on repeated occasions, and there was no sort of subterfuge about the act. He was well known at the Ichang Customs, both as the agent of Mr. Jenkins, and as an employee of the B. M. S. N. Co., and Passes to ship goods on just such applications had been granted on former occasions.

It is not for me to pass judgment in the case, but if foreigners are to be permitted to pass foreign goods into the interior, as the only way of getting them there, then I see no way in which imposition can be entirely prevented as in the present case. - To be sure these were Canton manufactures, but if the Customs Authorities insist that native ware coming through H Kong thus becomes foreign, they must be so reckoned. It strikes me as just, - however,

however to hold the originators of fraud responsible for the disgrace attending it, rather than a party unconsenting to it. It is very certain that Mr Jenkins, through his agent, became unwittingly connected with these lewd pictures either by the fraud of the original shipper - by the insufficient examination of the customs officers at Shai or Hkow, or both, - or by the turpitude of his agent at Ichang. - I submit that no real evidence exists to show the last condition as existing. -

The connection of the Interpreter of this Consulate, with the charges you have suggested, is incident to the necessity of employing persons engaged in trade, for official functions. But the evil is beyond remedy except by the establishment of salaries for required services, adequate to secure men of probity and ability, who will devote their whole

whole time to public duties. M.J. is, I think, as generally faithful to his official trusts as any one could be whose reliant business was the outgrowth of the treaties that bring us to this Empire, and with the people whom they concern. But questions necessarily and often arise in which his private interests are more or less involved; and although more than most men would, he yields precedence to the public claims, the facts of such inconsistent commitments are disagreeable and indefensible. Embarrassments that may be imagined are sure to arise, at times, and yet they are unavoidable, with his double relations. I know of no one to take his place. Certainly no one who would not be much more objectionable than is he.

I need not assure you that every effort of yourself and of Sir Robert

Robert Hart to check the traffic in indecent pictures will receive my hearty co-operation. The moral degradation that demands excitement and finds pleasure by such mediums is one of the most hopeless features of Chinese society. It is not only an undubitable sign of debasement, but its gratification still further pollutes what of mind is left to the native, and renders advancement in higher characteristics impossible. I sympathize in all well directed efforts, in this land or in others more civilized, to eradicate so corrupting a source of depravity, especially as moral pollution inevitably results in physical evils co-extensive.

But while the topic is thus forced upon my attention I must, in the interests of decency, and the civilization so boasted by foreigners over China, say to

you

you in confidence what I would say to Sir Robert Hart if my acquaintance with him warranted it. I refer to an evil and a disgrace that is wholly in his control, and that he could uproot much more easily than he can stem the trade in indecent pictures among the Chinese, however strenuous and praiseworthy his efforts in this direction. You will readily guess I mean the actual practice of illegal libidinousness among Custom officials. It is an exception where purity of conduct in this regard exists, I fear, and kept Chinawomen seem to be almost a part of the prerogatives of Customs Employees. In shameless disregard of what are considered the proprieties of life in civilized communities, men live with their mistresses in their quarters openly, breeding illegitimate Eurasians to become

become in turn new sources and allurements to corruption. Many can be designated whose diseased bodies bear loathsome witness to the sensual pollution in which they have lived, and then go home to marry some innocent girl to bear a diseased progeny to suffer for the vices of their father. It is often that one of the first acts of a new appointee is to follow the example of his elders in the service, and provide himself a concubine to share his pay and his quarters. You can judge how much effective force any efforts to suppress indecent pictures can have with a people who see continually such vicious indulgence in far more degrading forms, on the part of the officials themselves.

The most terrible evil, however, is upon those who thus indulge their sensual passions. It degrades the mind - debases the nature -

and

and breaks down all reverence for purity and virtue in others, male and female. What a hideous — outcome must result to young men is fearful for any lover of his species to contemplate. It is really a calamity, at present, for any young man who be admitted to the Customs Service. His moral nature is almost certain to be broken down, and though now and then one has force of character enough to escape, the occurrence is rare. - I fear very rare - I write with earnestness and feeling, for some of my most painful experiences in official life, have been in attempting to aid Americans who have come to me in confidence to help them escape and recover from the troubles, social, physical and pecuniary, which they have precipitated upon themselves by such indulgences. -

/ One

One incident has been peculiarly mortifying. Some years since an American in the Customs Service, kept a Chinawoman here in Hankow. Several bastard children resulted, and as far as I can learn, were left to the Mothers' cost and care - or neglect. The father reached a high grade of rank, and married a virtuous woman at home. The natural children grew up in heathenism, and while the father was at home addressing Sunday Schools, the mother was offering a natural daughter for sale in Hankow as a prostitute. Common report, doubters in the main true - said she was purchased for - several hundred dollars by a brother official of the father an - acting Commissioner - and taken to Ichang. - You can guess that such an event, where one Custom Official is credited with raising

a

a prostitute, his own progeny, for another, is not a very gratifying fact to be recalled to a fellow-national at public dinner tables!

We have heard, and known, of some revolting incidents of a similar nature in our slavery days, but nothing to surpass this, in hideous suggestiveness.

I am Sir —

(Signed) Isaac F. Shepard
U. S. Consul.

Ack by No 4 file

PRINTED FOR FOREIGN RELATIONS 1883

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Williams

No. 244. Four Enclosures.

DEPARTMENT OF STATE OCT 20 1883 RECEIVED

Legation of the United States.

Peking, 30th August, 1883.

Mr. John Russell Young to

The Honourable Secretary of State.

— Subject. —

Disturbance at Tamsui.

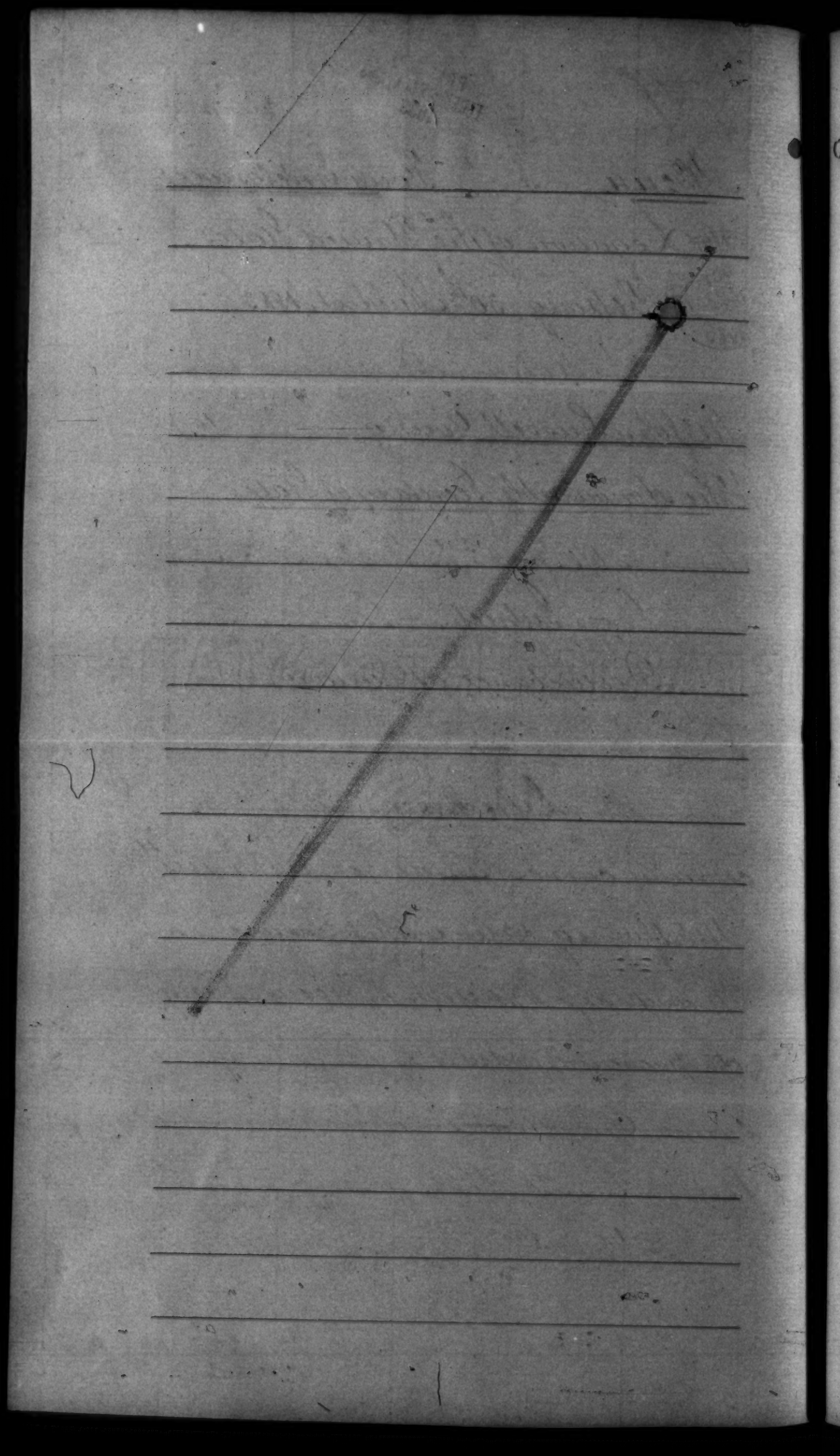
—

Synopsis.

—

Mr. Young notes with pleasure promptness of action of Viceroy Tseng to preserve order.

—



No. 244. Four Enclosures.

Legation of the United States
Peking, 30th August, 1883.

To the
Honourable Fred'k T. Frelinghuysen
Secretary of State.

Sir,

I have the honour to enclose 2/3/4 2444
certain correspondence with the
Consul at Canton in reference
to a recent disturbance in that
city arising out of the folly of —
some Europeans, which unhappily
led to loss of life.

The Department will not
fail

fail to note the forbearance shown by the Chinese Authorities, and the promptitude with which the Viceroy intervened to preserve order and secure the interests and safety of the Foreign Settlement.

I have the honour to be,

Sir,

Your obedient Servant,

[signature]

— Enclosures. —

1. Mr. Seymour to Mr. Young.

No. 29. 14th August, 1883.

2. Consular Body to Viceroy Tseng

13th August, 1883.

3. Viceroy Tseng to Consular Body.

14th August, 1883

4. Mr. Young to Mr. Seymour.

No. 141. 27th August, 1883.

Enclosure. 1.

Mr. Seymour to Mr. Young. -

No. 29 9 P.M. August, 14th, 1883.

Sir.

I have the honour to inform you that Canton has been considerably stirred up for the past three days and nights, - over a disturbance that occurred early on the morning of Sunday 12th instant; when three Europeans, in the employ of the Imperial Maritime Customs Service, after a night of dissipation, caused a row in the Streets on the Honam (South) side or division of the city of Canton; that resulted in the death of a Chinese boy, and the wounding of a Chinaman and a Chinawoman.

Matters assumed a serious aspect, with threats of revenge against foreigners; until rigorous measures were adopted by the Chinese authorities to maintain order, and re-establish tranquility among the natives; who would not

permit

permit the dead to be removed from the place where he fell until to day; and — would not permit the wounded woman to remain at the Hospital in care of the "barbarian devils"; and refused to allow "Europeans" or foreigners to land on that side of the river; and threatened extermination generally.

Admonitions sent to several of the — Consulates by professed, and, doubtless, real friends, led to a conference of, and a consultation by the Consular Corps, on Monday afternoon, 13th. instant; when, in reference to demands from foreigners of various nationalities upon their Consuls for protection, it was deemed best, for prudential reasons, to bring the facts — before the Viceroy; and request his — attention to the emergency.

Herewith please find copy of a despatch, prepared by request of my colleagues; addressed to the — Viceroy; and signed by the Consuls.

Also please find Enclosed —

the

the concluding paragraphs of the Viceroy's prompt reply of this date; conveying satisfactory assurances of vigorous efforts to preserve order.

At present, indications decidedly testify to the Viceroy's efficiency & success; and no further trouble is anticipated.

I am &c.—

(Signed) Charles Seymour.

Two Enclosures as above stated.

Enclosure 2.

Consular Body to Viceroy Tseng.

Canton, August, 13th, 1883.

Sir,

Y. E.'s attention is respectfully called to the propriety and necessity of some effective means being employed, to preserve order, and to allay excitement, on the Honam side of the Canton river; on account of a deplorable disturbance which occurred in that portion of the city, at an early hour on the morning of Sunday, 12th instant; - between some Chinese residents and three Europeans; resulting, unfortunately, in the death of a Chinese boy, and the wounding of a Chinawoman and Chinaman; from the use of fire arms in resisting a mob.

The three Europeans, one of whom is a native of Great Britain; another a native of Russia; and the third a native of Norway; have been arrested, and are now confined in the jail of the

the British Consulate; to await Examinations according to Treaty stipulations and requirements.—

In the meantime, the Excitement and feelings of the populace, in the vicinity referred to, have assumed such a threatening character as to demand vigorous and prompt measures, on the part of the Chinese Authorities, to prevent further atrocities.

Wherefore, H. E. is respectfully informed of the facts; and requested to cause such measures to be immediately adopted, as will prevent any further disturbance.

Hoping that H. E. will promptly give effect to a compliance with this request; in which we unitedly concur;

We have &c.—

Signed — Charles Seymour.
U. S. Consul.

— " — L. Rieselbueber.
Consul de France.

— " — Pro O. F. von Mollendorff. acty Ger
for Germany — Baron Ke

Signe

(Signed) F. B. Cunningham. V.C. for
Sweden and Norway. &
-do- Charles van Boss Consul for
the Netherlands. —
-do- R. H. H. Wood. Actg. Consul
for Denmark. —

Memo. —

The British Consul having sent despatches to the Chinese Authorities before the preparation of this despatch his signature is omitted. (Sd.) C.S.

Enclosure 3.

— Translation —

Canton, August, 14th 1883.

Yseng. acting Viceroy in reply: -

I (the Viceroy) have the honour to acknowledge the receipt of a joint despatch on 13th August, 1883. (here the Consuls' joint despatch quoted in full)

—

Upon Examination the Viceroy would state that he has just received a communication from the acting English Consul Hance, concerning the same subject. Consequently the Viceroy have already sent instructions to the Poon Yü Magistrate and the Kwang Hip (the Colonel) to despatch some soldiers and police to proceed to Henan and to properly preserve order and to disperse the crowd.

Now upon receipt of the foregoing despatch the Viceroy has to repeat his order with instruction that those officials should pay —

Strict-

strict attention to maintain order disperse the crowd, and not to allow any persons to avail themselves of this occurrence to create disturbance.

The Viceroy has also instructed the Provincial Judge to Enquire upon a compliance therewith.

It is proper that the Viceroy should send this reply with information of their Honours the Consuls.)

No. 41 Enclosure 4.

Mr. Young to Mr. Seymour.

Peking, 27th August, 1883.

Sir,

I am in receipt of your despatch No. 29 in reference to the disturbances in Canton. The measures taken by you to preserve order were prompt and salutary. It is a pleasure to know that the Viceroy was so willing to answer your demands, and also to learn that no Americans were concerned in what seems to have been a wanton and foolish outrage upon Chinese society.

I am &c.

(Signed) Jno. Russell Young.

Ack by no to file

Williams

No 245 Two Enclosure.

DEPARTMENT OF STATE
OCT 20 1883
RECEIVED

Legation of the United States.

Peking, 31st August, 1883.

Mr. John Russell Young to.

The Honourable Secretary of State.

Subject.

Ward's Claims.

Synopsis.

Mr. Young is of opinion that the Department will agree with him in reserving the claim made by Mr. F. A. Coombs.

No. 245. Two Enclosure.

Legation of the United States
Peking, 31st August, 1883.

To the,
Honourable Fredk. T. Frelinghuysen.
Secretary of State.

Sir,

I inclose for your information, copies of a correspondence between the Legation, and Mr. H. A. Coombs an American citizen. 1/2/245

Mr. Coombs is anxious to know whether certain claims held by the family of his father against China were included in the

the "Ward Claims". I see no
evidence to that effect, but refer
him to the Department.

I am afraid from the
statement made by Mr Coombs,
that when the property of the
deceased uncle was seized, he
was engaged in carrying arms
through the Imperialist lines to
the rebels an unlawful act in
time of war, and subjecting
the transgressor to the severest
penalty. Should this prove to be
the case, the Department will
I am sure unite with the
Legation in the belief that it
would be vain to think of
presenting the claim to the

Chinese

Chinese Government.

I have the honour to be,

Sir,

Your obedient servant

For Consul Gen.l.

— Enclosures —

1. Mr. F.A. Coombs to Mr. Young.

April 30th, 1883.

2. Mr. Young to Mr. F. A. Coombs.

Enclosure one.

Mr. Coombs to Mr. Young.

No. 753 Broadway

New York, April, 30th, 1883.

Dear Sir,

I saw published in the papers - New York, Sunday, April, 29th under the heading of "A Relic of the Taiping Rebellion" of claims having been collected by you from the Chinese Government. Not knowing that there were such claims being made ere this, I take the liberty of writing, to see if the Family of Daniel F. Coombs, are entitled to claims against said Government, the facts, taken from letters that passed between my Father John W. Coombs (who is now dead, and who was a brother of the said Dan'l F. Coombs) and Consuls W. D. G. Smith, date Jan'y. 29, 1861 and Consul G. F. Seward date Feby. 25th 1863 are these viz:- that - Dan'l. F. Coombs (who was doing business at the Shanghai dock yard, Hongque, Shanghai) and a Party by the name of

of Goodrich, (employed by party named C. P. Reynolds) at Shanghai that said Coombs and Goodrich left Shanghai at 3 o'clock in the morning of the 8th of December, 1860 in a small boat manned by a Chinese crew, - cargo of arms and ammunition, they went up the Whangpo River and were going to Soochow, to sell the cargo that about 3 days from Shanghai and in the night the boat ran ashore and they were unable to get her afloat this occurred near an Imperialist Station. Saml. F. Coombs and another of the party went ashore, leaving - crew and an other European on - board of the boat, they were set upon by the Chinese and Killed also the crew were all Killed (and goods - seized) with the exception of one of them who reached Shanghai severely wounded and made the above report. I have all the letters that passed - between my Father and parties to -

whom

whom he wrote making Enquiries in regard to his Brother, and his property and Estate (there was never anything recovered) the letters my Father received, were from G. W. Seward Apist. Secretary of State Oct. 23rd/61.
Jos. Smith - Navy Yard - Chief of Bureau Yds and Ds. - Oct 8th/62
Jos Smith - do - do - Oct. 22nd/62
Jos. Smith do do - May 21st/63.
W. L. G. Smith - U. S. Consul at Shanghai June, 29th 1861. -
- do - - do Jan'y. 28th/61. -
G. F. Seward Feby 25th/1863. -
the last letter (G. F. Smith) also had attached a sworn statement from C. P. Reynolds of Shanghai as to the circumstances as related
Would like to Know if his Dan'l. F. Coombs / case comes under the claims being made and how to prepare and to whom they want to be forwarded to. -
Desiring to receive a prompt

prompt reply.

I remain,

Your obedient Servant.

(Signed) F. A. Coombs.

No. 70. Enclosure two.-

Mr Young to Mr D. A. Coombs.

Dear Sir,

I am in receipt of your letter in reference to certain claims of Daniel D. Coombs against the Chinese Govern!- arising out of the Tai ping Rebellion.-

I do not see anything in the statement of your case to show that your claim comes within what are known as "The Ward Claims", which China has paid. On this subject, however, it would be well for you to address the Department of State, as the money which the Legation holds to meet the claims of certain American citizens, can only be disbursed by the direct order of the Honourable Secretary.-

I am Sir

(Signed)

Jno Russell Young

No. 246.

Legation of the United States.

DEPARTMENT OF STATE
OCT 20 1883
RECEIVED

Peking, 1st September, 1883.

Mr. John Russell Young. to
The Honorable Secretary of State.

Subject.

- Despatches -

Synopsis.

Mr. Young acknowledges receipt of Instructions Nos. 142 - 143 - and 144 with their respective dates. -

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No. 246.

Legation of the United States.

Peking, 1st September, 1883.

To the,

Honourable Fred.k T. Frelinghuysen.

Secretary of State.

Sir,

I have the honour to —
acknowledge the receipt of —
your instructions bearing —
numbers and dates as follows:-

No. 142. July, 6th, 1883;

No. 143. —"— 9th, 1883;

No. 144 —"— 13, 1883;.

I have the honour to be,

Sir,

Your obedient servant,

Jno. Russell Young

Vacated with approval of Secretary's action Oct. 29/83 Chitter

Mr Foote Oct. 13/83 Chitter

Mr Williams

No. 247. Six Enclosures.

DEPARTMENT OF STATE OCT 20 1883

(24)

Legation of the United States.

Peking, 1st September, 1883.

Mr. John Russell Young to

The Honourable Secretary of State.

Subject.

Roman Catholic Faith in Corea.

Synopsis.

Mr. Young forwards certain correspondence to his Colleague General Foote, in Corea, and reports the same to the Department.

No 247. Six Enclosures.

Legation of the United States.
Peking, 1st September, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

I have the honour to enclose certain letters from the Consul at Tientsin, the Consular Agent at Chefoo and Mr. Fergusson — the Consular Agent of Russia and Belgium at the same port.

Mr. Fergusson expresses —

some

some anxiety as to the protection of priests of the Roman Catholic Faith in Corea. As Mr. Foote is the only minister of a Western Power in that kingdom, Mr. Fergusson desires his good offices to secure for these missionaries an opportunity to do their work, and safety while in its performance.

I have sent the correspondence to Mr. Foote, as a matter to be controlled by his own sense of duty and such instructions as may come from the Department, and requiring neither hint nor suggestion from this Legation.

I have the honour to be,

Sir,

Sir,

Your obedient servant.

[illegible]

Enclosures.

1. Mr. J. J. Ferguson to Mr. Platt.
   22nd August, 1883.
2. Mr. Platt to Mr. Zuck.
   No. 54. 23rd August, 1883.
3. Mr. Zuck to Mr. Young.
   No. 51. 28th August, 1883.
4. Mr. Young to Mr. Zuck.
   No. 30. 31st August, 1883.
5. Mr. Young to Mr. Platt.
   No. 29. 31st August, 1883.
6. Mr. Young to Mr. Foote.
   No. 71. 31st August, 1883.

Enclosure one.

Mr. Ferguson to Mr. Platt.

Chefoo. 22nd August, 1883.

Dear Doctor Platt.

The interest I feel in the Roman Catholic Missionaries in Corea with whom I have been on terms of intimate friendship for many years, must be my plea for in venturing to write to you about their Status in that Country with the view of endeavouring to obtain through the kind influence of the United States minister at Seoul some favourable recognition of their presence, or at least some tacit permission for their freely presenting? the Catholic doctrine of Christianity to the people of that Country.

I am especially induced to make this effort at the present moment as I have lately received a letter from the Catholic bishop who is the Superior of the Catholic missionaries in Corea, asking me whether I could inform him if there were

were any probability of permission for missionaries to freely reside there being made a stipulation in the treaties with Corea.

As the unofficial texts of the U.S. and British treaties with Corea that have been published contain no clause sanctioning the free preaching of Christianity there, I presume that the Bishop wrote to ask whether any modification might be made in them so as to secure such freedom.

I have replied to the Bishop that I could not give him any positive information about this; but at the same time remarked that possibly the absence of any treaty stipulations for freedom to missionaries to pursue their calling in Corea might be more advantageous to their success than if their work were made to wear a governmental and possibly a political appearance. Also that I thought the Catholic missionaries would do better if they sought as a favour through the unpersonal

personal influence of some friend of the Corean Government a tacit permission to preach their faith to its people rather than to try to obtain as a right an open permission secured by treaty; because this latter might be considered irksome and compromising to the authorities, - while their own free or spontaneous quiet grant of liberty to the Catholic missionaries might be more easily obtainable as it would leave to the Corean Government its own freedom of action and would not compromise it in the eyes of its own subjects.

It is precisely in this view that I now present the question to your kind attention, and I should feel greatly obliged if you would lay my views and desires before Mr. Russel Young and through him to General Foote and ask them to kindly consider whether they could use their influence to obtain from the Corean Government the favour of freedom for Roman

Catholic

Catholic missionaries to reside and preach unmolestedly their doctrines throughout that Kingdom.

As the liberal religious policy of the U. S. Government is universally known and admired by all Roman Catholics, I feel that beyond asking its representatives in China and Corea to extend a similar protection to their missionaries in Corea that the Catholic Church enjoys in in America. I need not adduce any general reasons to move either Mr. Russell or General Foote to interest themselves on such behalf in this in special instance, but I trust I may be permitted to observe that should such a friendly interposition on behalf of Roman Catholics in Corea emanate from the U. S. minister there, it would be most honourable to your Government to relieve these Christians from the persecutions they have undergone for so many years, and that

that such a result would vibrate most gratefully through millions of catholic hearts all over the world. Besides this it would inaugurate a new method of spreading the Christian religion in the Extreme East of Asia which would free it from the coercive features that have rendered the liberties by treaty of missionaries so objectionable to the native authorities and possibly so detrimental to themselves.

If you would do me the favour to bring this letter to the notice of the U.S. Ministers above mentioned, I shall feel greatly obliged, and trust you will pardon my asking you to add a few lines of your own in support of my appeal to their good influence.

Believe me,

Dear Doctor Hall.

Yours sincerely

(Signed) Thos. T. Ferguson.

D. Archer Hall. M.D.

No 54 Enclosure two.

Mr. Hall to Mr. Zuck.

Chefoo, August 23rd, 1883.

Sir,

I beg to hand you herewith, for 1/-
transmission to H.S. Minister Young
the original of a letter received this
day from J. J. Fergusson, Esq. Belgian
Consul and Russian Vice Consul at
this port. The letter itself requires no
explanation from me, further than to
remark that I understand Mr. Fergupon
who the chief lay agent for the Papacy
in North China, and enjoys a large
share of the confidence of the Vatican
in its Asiatic policy.

To him, I have simply
acknowledged

acknowledged its receipt and my purpose to forward it to the — Legation at Pekin. —

I am &c. —

(Signed) A. R. Platt. —

U. S. Consular Agent.

(No. 51.

Enclosure three.

Mr. Zuck to Mr. Young.

Frankfort, August, 28th, 1883.

Sir,

I have the honour to forward herewith the original of a letter received by A. R. Platt, Esq. U.S. consular agent at Bluefields, from J. J. Ferguson, Esq. Belgian Consul and Russian Vice Consul at that port, together with a copy of the despatch of the former transmitting the same to me.

I am &c.

(Signed) Jas. C. Zuck.

U.S. Consul.

1/2

Enclosure four.

No 30. 31st August, 1883.

Mr Young to Mr Zuck.

Sir,

I have the honour to acknowledge your despatch no. 51 sending certain communications from Mr Ferguson the representative of Russia and Belgium at Chefoo, and from Mr Platt your Consular Agent at the same port.

I shall take the first occasion to send the letter of Mr Ferguson to my colleague in Corea.

I am &c.

(Signed) John Russell Young.

No. 29. Enclosure Five.

Mr Young to Mr. Hall.

Peking, 31st August, 1883.

Sir,

I have the honour to acknowledge your letter to the Consul at Tientsin in which you forward to this Legation the interesting note of Mr. Fergusson, the Consular representative of Belgian and Russia at your port.

I have read Mr. Fergusson's statement with interest, and shall send it by the first occasion to my colleage Mr. Foote, and likewise to the Department of State.

In the meantime, I am, with assurances of my highest consideration

Yours &c —

(Signed) John Russell Young.

No. 71

Enclosure Six.

Pekin, 31st August 1883.

Mr. Young to Mr. Foote.

Sir and dear Colleague,

I have the honour to enclose you a correspondence which has come to this Legation from our Consulate at Chefoo.

In making this communication I beg to assure H. E. of my highest consideration.—

Sam Kee.—

(Signed)

John Russell Young.

Dans dispatch
No 248 of 8th
Jan 84

No: 248. Two Enclosure.

Legation of the United States.
Peking, 3rd September, 1883.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

Mr. John Russell Young to
The Honourable Secretary of State.

Subject.

St. John A. Edwards Nationality.

Synopsis.

Mr Young forwards certain correspondence in reference to the citizenship of Mr. Edwards a resident of Amoy. Mr. Young believes that Mr. Edwards is amenable to American laws

laws and asks the Department to approve his opinion.

No. 248. Two. Enclosure.

Legation of the United States.
Peking, 3rd September, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

Some months ago, Mr. F. A. Vandenberg, an English barrister, in practice at Hongkong reported to the Legation that he had been retained by certain clients to prosecute a claim against Mr. St. John N. Edwards, the acting clerk and marshal in the Consular Court at Amoy. Mr. Vandenberg,

paid

said that he visited Amoy appeared professionally before Mr. Consul Goldsborough acting judicially and asked for justice. Mr. Goldsborough replied that Mr. Edwards was not an American citizen, and he could have no jurisdiction over the case. Mr. Vandenberg appealed to the Legation, and upon Mr. Goldsborough's reaffirming the statement that Mr. Edwards was not an American but on the contrary an Englishman born in Singapore the Legation approved of the Consular action, and advised Mr. Vandenberg to seek redress before the courts of Her Britannic Majesty.

Mr. Edwards having heard of this decision thereupon went to the Legation

Legation a voluminous statement, accompanied with a series of documents covering many years of his personal history. In this, he claimed that he was an American citizen for the reason, that his father was an American, a native of the State of Maine, and doing business in Singapore where the petitioner was born, that the petitioner had never expatriated himself, that he had been registered at the Consulate as an American, and that in no way by any civil or criminal offence had he forfeited his rights.

I have selected from this petition the most important documents bearing on the case, all that seem to contain any vital point of evidence

evidence, and enclose them with this despatch.

It appeared after a careful study of the petition that Mr. Goldsborough had been in error in denying Mr. Edwards his citizenship, and that the Legation had shared this error in accepting the Consul's statement to that effect.

I accordingly in a despatch which I enclose reversed the Legation's former decision and held that Mr. Edwards was an American.

21/248

Mr. Goldsborough, in response asked the Legation to consider another point, which in his opinion might have weight in determining

the

the question. The substance of his argument was this. The father was a coloured man, who had not been home for forty years. At that time, under our laws, negroes were not citizens. Consequently Mr. Edwards as the son of a man who was disfranchised forty years ago, and who himself had not established citizenship in the meantime still rested under his father's disqualification, and could not claim citizenship.

In my answer, enclosure No. 23 I pointed out to Mr. Goldsborough, the statute No. 1993 Revised Statutes under which Mr. Edwards as the son of an American came within

within the protection of our laws. -

I also hold that the argument as to his father's former disfranchisement because of his colour was unsound in law. In the first place the father of Mr. Edwards came from Maine. I could see no evidence that Maine ever disfranchised men on account of colour, although on that point, I speak with reserve, having in the limited library attached to the Legation only a copy of the Constitution of Maine, adopted in 1819. In this instrument I found no such restrictions. But even if the father of Mr. Edwards had been a slave, a native of Virginia or Louisiana, where the

law

law existed in other days the Legation was still bound to hold that Mr. Edwards, by the operation of law, and the decisions of the Supreme Court, and especially the decision reversing the decree of the late Chief Justice Taney in what is known as the Dred Scott case, was in the enjoyment of all the rights of an American citizen.

It was therefore decided that unless some new evidence could be advanced to invalidate the statement presented by Mr. Edwards in such detail, he must be regarded as a citizen. Mr. Goldsborough was directed so to treat him, until he had the orders of the Department.

This

This decision has been sent to Mr. Vandenberg to the end that if he has any claim against Mr. Edwards, he may find remedy under our laws.

Trusting that my view of the law will meet with your approval.

I have the honour to be,

Sir,

Your obedient servant,

Thos. Russell Young.

— Enclosures. —

1 Enclosure. (Full case.)

2, 1.2) Mr. Young to Mr. Goldsborough.

No. 21. 8th August, 1883.

Despatch 248.

18/1883. Enclosure. 1.

Hongkong 29 January 1883.

Mr. Vandenberg to Mr. Young.

Your Excellency,

I have the honor to address your Excellency these lines, and hope that the matter to which they refer will have your Excellency's kind consideration.

From the enclosures your Excellency will gather the motive of my presumption in addressing Your Excellency.

I hope that Your Excellency will pardon me the gross liberty I take in addressing your Excellency, but trust that Your Excellency will give such instructions to the United States Consul Mr. Goldsborough to hear

the

the case on its merits and judge the same judicially.

I may mention that Mr. St. Julian Hugh Edwards, the person mentioned therein in my humble petition has boasted that no one can force the case to come forward before the United States Consul of America in Amoy, during the time he is employed in that consulate. I know not what influence he possesses there, but at all events to my own knowledge he possesses supreme sway therein.

Commending my request to Your Excellency and trusting that Your Excellency will order that the case may be heard in Amoy

I

I have the honor &c

(signed) J. A. Vandenberg.

Enclosures.

1. Affidavit
2. Press copies.- 3 letters from self to Mr. Goldsborough.
3. Original letter Mr. Cheshire to myself.

sig. J. A. V.

Despatch 248.

Enclosure 1.

Gomes and anr v. St Julian Hugh Edwards.

I, Francisko Assis Vandenberg of Victoria in the colony of Hongkong make oath and say as follows:- That on the 27th day of November 1882 whilst in Amoy I (as the attorney of Gomes) together with James Sorab Lucas called at the United States Consulate to make an application for leave to sue an employé of the said Consulate St. Julian Hugh Edwards. Mr. Goldsborough the Consul received us at the footsteps of the consulate and without any preface said in an off handed way - I have told you that I shall have nothing to do with

with the case; I have had my say and you can go" — I knew not the meaning of this language, as I had never seen Mr. Goldsborough before, much more ever exchanged words with him. I had no other alternative but to leave after so decided a decision. — I asked the said James Sorab Lucas the meaning of the words of the Consul and the reason of his discourtesy, he replied that he had met the Consul in HongKong and spoke to him about the affair but the Consul's answer was unintelligible to him but he understood the Consul say Go to Amoy.

That I. and the James Sorab Lucas then made our way to Her Britannic Majesty's Consulate

Consulate, after my interview with Mr. Fraser 1st Assistant in that Consulate, and on leaving the Consulate's premises, I was accosted by a young man in the employ of the said St. Julian Hugh Edwards saying that the said St. Julian Hugh Edwards desired to see me alone - in his private dwelling house, I acceded to the request and called there and then on him, on arriving at the said St. Julian Hugh Edwards premises after the usual salutations, he said that he regretted the Consul had spoken so harshly and amongst other topics that were conversed on, the motive of my arrival was discussed. In order to avoid as much delay as possible and to

curtail

curtail the expenses my
principal was undergoing, I
proposed that the matter should
go to arbitration and the
said St. Julian Hugh Edwards
accepted the same, stating
that as the matter was one
of accounts, no correspondence
should be produced. The
drafting of the Bond was
left in the house of the said
St. Julian Hugh Edwards.
On the afternoon of the same
day I called and saw the
Draft Bond, the said St. Julian
Hugh Edwards having
inserted therein as his
arbitrator a Macao portuguese
named A. A Nunes and as
the umpire Mr. Goldsborough.
I tendered Frank Hugh
Edwards as my arbitrator,
to this the said St. Julian
Hugh Edwards most flatly
refused

refused to accept. Being a stranger in Amoy and unacquainted with any one, I had to leave the matter open, till I was able to get a substitute. I applied to the Reverend Mr. Thompson to act, this gentleman would have been too happy to do so, but his occupation prevented him from so doing as he had to go interior and was good enough as to solicit a gentleman to act on our behalf but he refused to do so on the grounds that the said St. Julian Hugh Edwards bore an indifferent character and had no desire to have any close intercourse with him and advised me to put the matter in the hands of Mr. Forrest the British Consul.- I called on the said

said St. Julian Hugh Edwar
and told him that I was
unable to obtain an arbitrato
and again tendered Frank
Hugh Edwards, he again refus
to accept the same. I asked if
he would settle the matter
privately, he said he would g
I would admit his claim of
$800, as my instructions wer
not to do so, I refused, I appli
to the British Consul, and th
correspondence that passed an
which I have marked alpha
betically will show how the
matter stands:

A. my letter to Messrs Forrest &
Fraser.

B. their replies.

C. my letters to the United
States Consul Mr. Goldsborou

D Miscellaneous papers.

E Letters from Lucas to Edward

F " . Edwards to Lucas

G. Letters from Self to Edwards
H. " " Edwards to Self.
I. Pamphlet of said
St. Julian H. Edwards
K. Accounts Lucas to
Edwards & vice-versa.

I verily and truly belive that the said St Julian H. Edwards is justly and truly indebted to the said James Sorab Lucas on the sum of $ 1712 16.

Sworn at Victoria Hongkong this the 4th day of January 93.- Before me

signed/ J. A. Vandenberg

signed/ . . . .

Despatch 248.
Enclosure 1.

Amoy 4th December 1882.

Mr. Vandenberg to Mr. Goldsborough.

Sir,

I have the honor to lay these few lines before you and trust they will have your kind consideration.

When Mr. Lucas and myself called at your — Consulate on the 27th ult., and on Mr. Lucas accosting you, you said that you would have nothing to do with the case. I knew not that Mr. Lucas had spoken to you when you were in Hongkong but subsequently he informed me that you had said something to him which was unintelligible to him.

As I am of opinion that

that Mr. Lucas has a good claim against Mr. St. Julian Hugh Edwards, an employé of your Consulate, and understanding that the said gentleman is a British subject, I went to the British Consulate to learn the course I had to take. On leaving the British Consulate, I was requested by a young man, saying that Mr. Edwards desired to see me personally and alone. - Amongst other matters that we conversed on, the subject of my arrival was quoted, and I proposed that the matter should go to arbitration to which proposal Mr. Edwards acceded to; I leaving to him the drafting of the Bond. - I called in the afternoon with the name of my

arbitrator

arbitrator, on mentioning the name of Mr. Frank. H. Edwards, I was most flatly refused by Mr. F. H. Edwards, being unacquainted with any one else in this place. I was at a loss to find a legible person and the matter had to lay in abyance, till such a substitute could be found and consequently I have no other alternation but to throw up the matter of arbitration.

I have now therefore To ask you to take the matter judicially. I have sufficient proof that the claim is a good one. I am willing even now to go to arbitration and am writing to Mr. F. H. Edwards again proposing Mr. Frank Edwards as an arbitrator so as to terminate

This

this matter.

I am suffering great personal inconvenience, and am desirous of returning to Hongkong as soon as possible.

I have to apologize for trespassing in your time but ask you to give me an early reply, whether or no you will take the matter in hand.

I am, etc.

(signed). J. A. Vandenberg.

Despatch 248.

Enclosure 1.

Amoy, 6th December 1882.

Mr. Vandenberg to Mr. Goldsborough.

Sir,

I had the honor to address you on the 4th instant to which I have not had the favor of a reply.

I regret much indeed that I should have further to trespass on your time with the perusal of these lines of mine, but I think it right that I should communicate to you the course I am about to take so that I might not be said that I am taking steps unaware to you.

Amongst other replies to my communications to Her Britannic Majesty's Consulate here, Mr. Fraser first assistant

therein

therein states:

"He (Mr. Forrest) desires me to
"state that he is not the least
"anxious to claim Mr. Edwards
"as a British subject or to
"question his right to American
"protection which he claims."

I learn also that Mr. Edwards claims American protection and he considers himself as an American citizen.

Mr. Edwards was tried before the United States Consulate of America in Amoy before Consul General Le Gendre on 6th February 1867 and found guilty of the charge brought against him and sentenced by the Consular Judge to one years imprisonment, a fine of one thousand dollars and costs in all amounting to one thousand

three

three hundred and fourteen
dollars. Taking this into
consideration and to the best
of my knowledge and belief
that the claim I have against
Mr. Edwards is a just one and
that the United States Consul
to take the matter in hand
and judge the case on its
merits I cannot let the matter
drop so easily in abeyance
hence to recover the same
and truly being under the
impression that Mr. Edwards
is registered as American
citizen; I shall represent
the matter to higher quarters,
so that the case on my appeal
may be brought here for
trial judiciially.

The correspondence that
has passed between Mr. Edwards
and Mr. Lucas would show the
character each party bears.

I

I repeat my former intention to let the matter go to arbitration, but I cannot let Mr. Edwards have all his own way - his objection to my arbitrator I cannot see any grounds for his refusal as the gentleman I proposed being a close blood relation to Mr. Edwards, and this gentleman so much so said that it would certainly be the better course, as it would not bring matters public and no exposure would take place hence. I think Mr. Edwards objection to his own nephew cannot hold good. Further when I read the Draft Bond your name was inserted therein as umpire; whether Mr. Edwards obtained your sanction or not to such a proceeding I cannot say though

when

when reading the Draft-
Bond - I accepted your -
umpireship on second -
consideration I cannot allow
of such a step being taken
for you to act as umpire for
this man; that Mr. Edwards
is holding a subordinate place
in the United States Consulate
and you as his superior
and Consul. He Mr. Edwards
being an employé will -
natural have daily and
hourly access to your person,
and though for a moment,
I hope you will not think
that I cast the slightest -
doubt on your dealing -
partially with the case, yet
certain explanations he might
give you and my arbitrator
be debarred from having the
same privileges would -
naturally lead you to give
credence

credence to Mr. Edwards' statement, hence on the same date I had the honor to address you, I penned my objection to Mr. Edwards this gentleman has also treated my letter with contempt.

I beg therefore to inform you that I shall forward all the correspondence, accounts and affidavits of Mr. Edwards & Mr. Lucas and vice versa and urge the Consul General at Shanghai to forward the same to the His Excellency the United States Minister at Peking. together with all the documents I may have so that on my appeal the case may be brought home against Mr. Edwards.

Apologizing etc.

I am etc

(signed). J. A. Vandenberg.

Despatch 248.
Enclosure 1.

Amoy 6 December 1882.

Mr. Vandenberg to Mr. Goldsboiough.

Sir,

I enclose duplicate - copy of my letter of this - mornings date, registered - in Her Majesty's Consulate Amoy. As from what I - have heard - I fear my - letter (original) never reached your hands.

I am, etc
(signed) J. A Vandenberg.

Despatch 248.

6

No. 2545. Enclosure 1.

Shanghai, January 23rd 1883.

Mr. Cheshire to Mr. Vandenberg.

Sir,

I have the honor to acknowledge the receipt of your communication dated the 11th instant, with enclosure, relating to a claim of Joaquino Gomes against St Julian Hugh Edwards, which you allege Mr. Goldsborough refused to allow you as Attorney for Mr. Gomes, to prosecute in the United States Consular Court at Amoy.

In reply I beg to state that the United States Consul General at this port can only exercise original jurisdiction, the same as other

other Consular officers, judicially and has no power or right vested in him to exercise judicial supervision over U.S. Consular Courts in China, further that the United States Minister at Peking, is the only United States officer in China vested with appellate jurisdiction.

For these reasons I respectfully return the affidavit and enclosures.

I am, etc
(signed). F. D. Cheshire
Vice Consul General in charge.

Enclosures.
No. 1. Affidavit..
" 2. Press copies (3) Letter from Mr. Vandenberg to Mr. Goldsborough.

Despatch 248.

29/1883. Enclosure 1.

Peking February 27th 1883.

Mr. Young to Mr. Vandenberg.

Sir,

I am in receipt of your letter dated Hongkong January 29th, with certain enclosures setting forth that Mr. Goldsborough American Consul at Amoy, has refused to hear you in a suit which as an attorney-at-law you have been instructed to bring against an American citizen before his consular court.

You ask the Legation to instruct Mr. Goldsborough to hear and determine your cause.

I have written that gentleman for an explanation of the circumstances

stances under which he refused your prayer. When I have his reply, I will write you further. In the meantime I remain &c

(signed) John Russell Young.

Despatch 248.
No 12. Enclosure 1.

Peking, Feb. 27th 1883.

Mr. Young to Mr. Goldsborough

Sir,

I enclose for your information the affidavit of F. A. Vandenberg of Hong-Kong.-

Mr. Vandenberg complains substantially that there has been a denial of justice to him, as an attorney by your consular court, and asks the intervention of the legation, to secure before you a hearing, to which he claims he is entitled under the law.-

I have acknowledged Mr. Vandenberg's letter, and said that before considering his request, the legation would

would submit the case
to you for an explanation
I am &c
signed. J. Russell Young.

One Enclosure.

Despatch 248

No 138. Enclosure 1.

Amoy March 16th 1883.

Mr. Goldsborough to Mr Young.

Sir,

Your dispatch of the 27th February inclosing affidavit of J. A. Vandenberg of Hongkong, was received at this Consulate last night, and I now have the honor to reply to it.

The statement of Vandenberg that there had been a denial of justice to him by this Consular Court, was not attended with truth.

The facts in brief are these:

During my visit to Peking last fall Lucas and Vandenberg came here from Hong Kong and approached

approached the Vice-Consul Mr. Stevens, with reference to the matter mentioned, and rendered themselves decidedly objectionable to him. He properly, however, declined to have anything to do with the matter, knowing as he did, that St. J. H. Edwards was not a citizen of the United States. (Mr. Edwards is a native of Singapore, whence he came to China.). They finally departed. While in Hong-Kong, later on, I was stopped upon the street by Lucas when he spoke to me with reference to the matter, I informed him distinctly that I had no authority to entertain suits against Mr. Edwards. He said that he understood

me

me and I passed on. You
may imagine my surprise
therefore, when shortly
afterwards I was summoned
to the front door of the
Consulate, to find Lucas
and Vandenberg there with
reference to the matter.
After some conversation, as
Vandenberg's manner was
not pleasing, (he, as I was
informed, being under the
influence of liquor) I
terminated the interview in
what I considered an
appropriate manner, but
not with the vulgarism -
"I have had my say".
With reference to the
question of empire, I may
state that the suggestion
was made quite without
my knowledge, and, that
when informed of it I
declared

declared that I would not act in the position. Some days after the visit from Lucas and Vandenberg, I received a visit from R.I. Forest Esq. H.B.M's Consul here, who informed me that he had been threatened by these parties with a mandamus for not entertaining suit upon this claim against Edwards. I replied that I had no objection to offer to his entertaining it. He finally left me, saying that he should not bother with them. I fancied that they had impressed him unfavorably. Shortly after this I received a letter from Vandenberg, presumably the one referred to by him. Knowing the position taken by

by me to be the legal, and, consequently the correct one, and regarding this man's attitude under the circumstances, as imprudent, I took no notice of the letter.

Mr. Edwards has informed me that he desired to make a statement to you of the facts, and to this I have opposed no objection.

I am Sir, &c.

Signed. W. E. Goldsborough.

Despatch 248.

No 15. Enclosure 1.

Peking, April 16th 1883.

Mr. Young to Mr. Goldsborough.

Sir,

I have had the honor to receive your despatch number 138, in the matter of the complaint of Messrs. Lucas and Vandenberg against St. John. H. Edwards.

As it appears that the latter is not a citizen of the United States, your course in refusing to entertain the complaint is in accordance with the statute and is approved.

I am &c.

(signed). S. Russell Young.

Despatch 248.

43/1883. Enclosure 1.

Hongkong. April 16th 1883.

Mr. Young to Mr. Vandenberg.

Sir,

Referring to your letter of the 29th January in which complaint was made against Mr. Consul Goldsborough for his refusal to entertain your suit against Mr. St. J. H. Edwards, I have now the honor to inform you that, as Mr. Edwards appears to be a British subject the United States Consul at Amoy was acting strictly within the limits of his official duty in refusing to try the action which you proposed to bring before him.

I am, etc

(signed) John Russell Young.

Despatch 248.

40/1883. Enclosure 1.

Hongkong 5th May 1883.

Mr Vandenberg to Mr Young.

Sir,

I have the honor to acknowledge the receipt of your favor dated 16th ult.

I note the reason of Mr Consul Goldsbourgh refusal to entertain my complaint against Mr St John L Edwards, as that gentleman is labouring under the impression that Mr Edwards is a British subject. I beg most flatly to contradict this, Mr Edwards is under the American protection to vouch the truth of my statement. I beg herewith to refer you to the accompanied pamphlet sent herewith through the Book-

post

post, wherein you will perceive that Mr. Edwards claims American protection.

Mr. Edwards for very good grounds does not claim British protection though he is by birth a British subject but having committed a crime in Singapore for which a warrant was issued for his arrest, he escaped thence here, but learnt that a telegram had arrived - he slipped, I believe went to Bangkok thence to Amoy, and registered himself as an American citizen.

Mr. Edwards is putting all kinds of obstacles to evade payment of a just claim.

I hope that my explanation

explanation is satisfactory and you will be so good as to order the hearing thereof, meantime with every consideration I have the honor &c.

(signed): A. A. Vandenberg.

Despatch 248.

41/1883. Enclosure 1.

Hongkong 14th May 1883.

Mr. Vandenberg to Mr. Young

Sir

Since I had the honor of addressing you the other day forwarding you a printed pamphlet for your perusal - to vouch for the truth of any statement - that Mr. St. Julian Hugh Edwards is under the - American protection I find on looking over some papers, a letter from that gentleman to myself bearing - date 27th October 1883 when I first wrote him making my claim a copy of which I beg to enclose herein from which you will perceive he distinctly says my Consul*. - I presume that on the face of

* Meaning Mr. Goldsborough.

of this statement and from the contents of the printed pamphlet no other conclusion can be arrived at, but that Mr. Edwards is under American protection.

I am, etc

(signed). J. A. Vandenberg.

Despatch 248
Enclosure 1.

61/1883.

Amoy, June 27th 1883.

Mr. Edwards to Mr. Young.

Honored Sir,

Circumstances recently transpiring here by which I am placed in a most embarassing position, have suggested to me the necessity of addressing you concerning my status here. I have therefore the honor to address you trusting my presumption in so doing, will not create any displeasure.

I arrived here in the year 1862 and applied and registered myself at the U.S. Consulate as the son of an American who was in business in the "Straits" under the sworn affirmation

affirmation of one W. B. Creighton a citizen of the United States, who was acquainted with my deceased father.

Subsequently, in 1867, I was arraigned and tried by the then U. S. Consul C. W. LeGendre, on the alleged charge of having recruited and transported Chinese Coolies, contrary to the provision of an act to prohibit the Coolie trade by American citizens. When I was declared guilty, fined One thousand dollars and costs, and one year close confinement. Afterwards, I submitted a statement of the case to the Hon. W. H. Seward whereupon, he was pleased to forward to said Consul LeGendre, a despatch numbered.

numbered 49, dated
September 5th 1868 as per copy
embodied in printed brochure
herewith inclosed, marked A.
During the said trial, the
British Minister Sir Rutherford
Alcock happened to be here,
and while under duress
of the above criminal
prosecution I was induced
by the late Robert Swinhoe
Esq. H.B.M's Consul at this
port, who took a friendly
interest on my behalf, to
apply to the said Minister
for protection from the
fact of my having been
born in the Straits, although
my father was an
American.

In response, I have
been informed, that after
years of discretion having
enrolled myself as an
American

American citizen, I have made myself amenable to American laws (vide copy of dispatch marked B).

I have, ever since I registered myself, been under the protection of the Great flag of the United States and during the trial of the collicase I have been judicially declared a citizen of the United States, in a judgment which stands unreversed and my name is now and has been since 1862, in the Archives of the United States Consulate here, (see Exhibits C. D. E. F.) and my money is still in the U. S. treasury.

Lately, when J. A. Vandenberg called at the Consulate regarding a certain

certain claim he held
against me, the Consul
did not seem inclined to
entertain it and as I
had a counterclaim against
him for a larger amount,
it was mutually agreed
between said Vandenberg
and myself to have the
matter settled by arbitration
which was agreed to, but
afterwards declined by him.

Vandenberg afterwards
had recourse to the British
Consul about his claim
and the latter after a
private interview with the
U.S. Consul refused to
interfere in the matter.

At the time the U.S.
Consul was writing to
you on the subject of
Vandenberg's claim, I called
his attention to the
allegation

allegation made by him about my not being a citizen and to Paras. 173 and 175 (C.R. 1881). but he seemed to think that my place of birth being a British colony, I cannot be an American.

It has always been my desire that the case between myself and Mr. Vandenberg and vice versa should be settled in one way or another, but the U.S. Consul did not wish to entertain it. I think it would not be proper to express an opinion on the subject.

Yesterday, the British Consul at this port addressed the U.S. Consul a despatch as per copy marked G. quoting your dispatches of April 14th and

and

and May 30th 1883.

I very much regret to find in your Excellency's dispatch of the 30th May the following: "Mr. Edwards "as the Legation is informed "avows his british Nationality etc." I beg to state that since I made the motion at the police trial, which was overruled by the court, I have not openly or privately avowed an intention to become a British subject and if my life is spared and circumstances permit me, it is my intention to visit the United States when I hope to accomplish my full right as a citizen.

It is generally admitted here by the public and the local authorities that I am under the protection

of

of the U. S. Government, from the facts of my having acquired landed property and passports to travel through the Chinese officials and U. S. Consuls and had sued Chinese and been sued by them.

I could not help thinking it a little unfortunate and inequitable that after having been recognised for the last 21 years, as a citizen or protegé of the United States with a knowledge of all the sufferings endured and losses sustained by me, I am required to renounce American protection.

Even Mr. Goldsborough since his assumption of office, and his predecessors, have always "declared and recognised"

recognised me (since 1873 the year I joined the U.S. Consulate) as United States citizen, in the several annual Returns of "Names of Persons employed at the Consulate" Submitted by the Consuls to the Department of State.

If it is necessary for me to submit the whole case to the Department of State, your Excellency would greatly oblige me by pointing out the course I am to follow as I am quite ignorant as to what to do.

In conclusion I beg respectfully to ask your Excellency to make further investigations into the matter by referring to the Archives of the Legation & Consulate.

Consulate-General since
Hon. Burlingame's time
and request you to take
the whole case unto your
benign consideration. —
With great respect
I have the honor etc
(signed). St. J. H. Edwards.

PS. I take the liberty to
enclose at the same time
sundry documents having
reference to myself generally
and crave your Excellency's
perusal of them.

Exhibit B.

British Consulate
Amoy, 11 July 1867.

Mr. Swinhoe to Mr. Edwards.

Sir,

I have to inform you that the memorial addressed to His Excellency Sir Rutherford Alcock, which accompanied your letter to me of 20 June 1867, I duly presented. The Minister rejected your petition, and desired me to tell you that he could not entertain your claim to be recognised as a British subject as you had after arriving at years of discretion enrolled yourself as an American citizen. That by so doing

you

you made yourself
amenable to American
law, and forfeited the
rights and protection
that your birth in british
territory had given you
a claim to.

I am etc.

(signed) Robt. Swinhoe
H. B. M. Consul at Amoy.

P.S. I return you the
documents transmitted to
me in your letter

R. S.

Despatch 248

Exhibit C. Enclosure 1.

Decision of the Court.

The following presents the various legal aspects in which this motion presents itself to this Court.

1st Question. Is Edwards an American citizen?

In the first place we produce as evidence an extract of Register of American citizens at this Consulate.

(Extract) Amoy, May 19/62.

Julian H. Edwards last residing at Singapore was born at Malacca, is a merchant, is registered upon the affirmation of Mr. H. B. Brighton, is now doing business in Amoy.

It is to be admitted that before

before registering J. H. Edwards, in the Register of American citizens at this Consulate, the office only authorized to sh the same required from Edwards such evidence as would clearly show that he had good reason to believe the truth of the fact certified by him and that justified the inscription. That the inscription was evidently made at Edwards demand there is no doubt, it appears from the Consular Records on the 13th of May 1862. J. H. Edwards paid to the United States Consul at this port for a certificate of citizenship 50 cents - and for recording the same 25 cents.

Now

Now how did Edwards obtain such certificates. On page 58 of the Consular - Recordbook is recorded a certificate that reads as follows:

I, Arthur B. Bradford, U.S. Consul for the port of Amoy do hereby certify that Julian K. Edwards, now residing within the boundaries of this Consulate, the son of an American citizen from the State of Maine, who was formerly engaged in busines at Singapore but is now deceased, inheriting from his father the privileges and responsibilities of American citizenship is hereby declared to be an American citizen entitled to the protection of our flag.

As witness my hand and

and the seal of this
Consulate, this first day
of May in the year of
our Lord 1862.
(signed) Arthur B. Bradford
U. S. Consul.

In other words Consul
Bradford certified that
Edwards is an American
born citizen as the
Roman law provides, the
child as a matter of
natural right follows the
condition of his father,
his father was an
American, he is an American,
a condition that entitles
Edwards to enjoy all
honors and privileges
under our flag except
that of being eligible for
the highest office in the
land, to which nobody
but

but one born in the
United States can be called
to fill. And was the
condition of the issue of
such a certificate to Edwards
the same that by article
630 (6. R.) are required for
the issue of a passport to a
native citizen that he
would fill in the Consulate
an affidavit stating the
facts certified to by the
Consul and also his age
and place of birth this had
to be signed and sworn to
by himself and one citizen
of the United States named
therein to whom he be
personally known and to
the best of whose knowledge
and belief the declaration
made by him is true now
who came there to certify
before the Consul that

Edwards

Edwards being personally known to him and to the best of his knowledge and belief was an American born citizen. This man's name is found on the Register of American citizens and it is M. B. Brighton, hence law has been satisfied so far as written evidence on record goes, and this evidence we are bound to receive in China in the same manner and with the same respect we would pay to any that would come to us from the Records office of New York or Maine, if we were called to pronounce them on the fact that it is our lot to examine on this locality.

2nd Question. Is Edwards simply

simply an American
protegé and as such
answerable to the laws of
the United States?

Let us follow Edwards
from the 20th May 1862 to the
17th of January 1867 - during
that period he has fully
enjoyed the protection of our
flag, he has sued and been
sued in the U.S. Consular
Court of Amoy, he has
used the seal of this
Consulate to acquire property,
valuable pieces of land, on
which he has erected
valuable houses, and in
fact he has enjoyed
generally all the privileges
and prerogatives granted
to naturalized American
citizens. See Consular
Record Books, page 98. Gerard,
& Co. versus J. H. Edwards, action
for

for debt page 99, July 12th 1865. J. H. Edwards versus P. Jacobsen action for debt, same page August 7th 1865. J C. Porter versus J. H. Edwards action for debt, same page August 7th. Giles & Co versus J. H. Edwards action for debt, May 17th 1866. Ding Sai, a chinese builder versus J. H. Edwards an American citizen, action on Contract.

Yet, this is not all. If I open the title Book of this Consulate where all titles of real property are recorded, I find first these made by Ing Mah Hoh to J. H. Edwards a citizen of the United States for two pieces of land situated in Koolanpoo- this instrument made on the 27th of November 1865, and registered on page 103, of

the

the title book, on the 17th of January 1867 Edwards recorded two similar instruments of writing in this Consulate for two pieces of land that he purchased the first from Ng Lang See and the second from Lin-Kun both Chinese and he calls himself in both instruments F. H. Edwards a citizen of the United States of America.

So, not only is Edwards satisfied to keep what he has under the protection of the United States but he acquires under it.

Yet Edwards says in his motion that he is not an American for he did simply so says place himself under the protection of the American flag because

he

he conjectured its laws better
than those of other nations.
Let us enquire and see
whether this new attitude
taken by Edwards could
change his position under
Federal or International Law
J H. Edwards was born in
Malacca and from this fact
would be an English subject
if certain facts that do not
appear from any evidence
produced by him could carry
this consequence. On the
contrary it appears from the
affirmation of Mr Bradford
quoted above, that his father
now dead was an American
citizen born in the State of
Maine and at the time of
the birth of his child of
Singapore as an American
Yet, let us suppose that
Edwards was, while in

Singapore

Singapore or Malacca an
English subject, even under
that absurd supposition I
say that he is at this very
hour, from the facts quoted
above under the head of
Question II, accountable to
the United States Law for
when he landed here, for
the first time, though his
last residence had been
Singapore, an English
colonie, he registered
himself as an American
citizen at this Consulate,
and he was believed to be
such, then the English consul
did not claim him as his
subject, neither has he
claimed him since - and if
in this there has been an
error on the part of this
officer, it is too late now I
believe, to correct it. For

years

years we have allowed this
man to announce himself
as an American, to enjoy
our protection and now
that he has received so
much from our Laws and
because he may now have
to account to them for a
wrong act, the English
Government would claim
him and we would deliver
him, This would be simply
absurd. Where and with
whom the debt has been
contracted the account
must be settled. This
opinion frames well after
all with the English Law
for it has long been the
custom in China with the
Consulates therein, to
receive Strangers and
sojourners, whose religion
and social manners do

not

not assimilate with the civilization or religion of the country, the person thus received though foreign to the protective power, is thereby invested with the nationality of the protecting consulates. International law recognizes and sanctions the rights acquired by this connection.

The Lords of appeal in the High Court of Admiralty in England decided in 1874 that a merchant carrying on trade at Smyrna under the protection of the Dutch Consul, was to be considered a Dutchman as to his National Character (Wheaton's International Law III Ed: P 384).

This decision has been examined

examined and approved by eminent jurists who have since written treatises on International Law.

Question III. Can Edwards claim Spanish protection because of his official position in Her Catholic Majesty's service?

Inasmuch as the fact that Edwards is employed at the Spanish Consulate does not deprive him of any right to protection under the laws of the United States, it does not release him neither of the obligation he has contracted with those laws, the first of which is to respect and observe them. The service rendered by him to H. C. Majesty should not in the estimation of this Court,

dispense

dispense him to be brought to account for his wrongs, if he has committed any, and even if he could prove that he has, acted in accordance with instructions from the Queen of Spain's Government a possibility that we shall not even suppose. For — ignorance of Law is not an excuse before our Courts and he should have known them, an American citizen or protegé could not accept a mandate contrary to the laws of the flag whose — protection he was enjoying and sooner than violate those laws he should have renounced a civil pursuit that forced upon him an act considered as — reprehensible or criminal to our legislation. The

motion

motion of Mr. Edwards is henceforth denied by the Court.

Despatch 248

Exhibit D. Enclosure 1.

No. 10.

United States Consulate
Amoy 27th October 1873.

Mr. Henderson to Asst. Secretary of State.

Sir,

Pursuant to instructions I have the honor to name for appointment as Consular Agent at Takao and Tainanfoo, Formosa Mr. G. M. Thompson. He is a native of New York and will, I think make a good officer.

So far I have been unable to find an eligible person for appointment in Northern Formosa, but hope to do so at an early day.

I much regret that there is at present no

citizen

citizen of the United States
in Amoy who is at all
suitable for and will accept
the position of Vice Consul.
I deem it improper for me
to here state fully my reasons
for this conclusion. Both nati
authorities and foreign
merchants make serious
objection to the appointment
of any man who is engage
in the tea trade and evidentl
not without cause. I have
therefore thought best to submi
the question to the Depart ment
of State for instructions befor
taking permanent action an
if I should have to be awa
from my post for a few day
in the meantime I can leav
the commercial business of the
office in charge of the Britis
Consul, Mr. Pedder, during my
absence.

I h

The following are the names of the citizens of the United States now living in Amoy with their occupations.

N. C. Stevens	Teamerchant
Leonard Kip	Missionary
D. Rapagie	do
S. I. H. Edwards	Clerk at the United States Consulate.

I am, etc.

(signed). S. I. Henderson.
Consul.

Despatch 248

Exhibit F. Enclosure 1.

No 97.

United States Consulate
Amoy December 26 1876.

Mr. Henderson to Mr. Alabaster.

Sir,

In compliance with your request of yesterday's date I have the honor to inform you, that Mr. St. J. H. Edwards has been ordered to appear in H. B. M's Court at Amoy on Friday the 29th inst. at 10.30 Am. to give evidence in the case of "Nicholas Moallee and Henry Sutton."

I am, etc.
(signed) J. J. Henderson.
Consul.

Dispatch 248.

Exhibit F. Enclosure 1.

No. 169.

United States Consulate

Amoy, February 27th 1878.

Mr. Henderson to Mr. Alabaster.

Sir,

Your communication of yesterday concerning the nationality of Mr. J. H. Edwards Esq. (Acting United States Marshal for this Consular district) was just now received. In reply I beg leave to inform you that the ground of Mr. Edwards' original claim to American protection at this Consulate as evidenced by the Records of this office was, that his father was a citizen of the United States. In view of this fact and the further facts that he has been

judicially

judicially declared to be a citizen of the United States in a judgment which stands unreversed and that his name is now and has been for many years past on the books of this office as such, I shall, in conformity with "our invariable course" feel it my duty to afford him all the protection to which an American citizen is entitled.

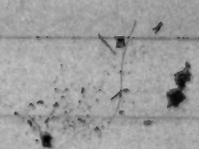
The circumstance of Mr. Edwards having made the petition copy of which you enclose (at the suggestion of the then British Consul the late Robert Swinhoe Esq. who took a friendly and sympathetic interest in Mr. Edwards' case on account of the great wrong he was being made to suffer, while under the duress of an outrageous

criminal

criminal prosecution and sentence would in my opinion, have but little weight with a court of law in determining the question of his nationality, even if that question could, by any means, or for any purpose be regarded as an open one.

I am, etc.

(signed). J. J. Henderson.
Consul.



Despatch 248.
Enclosure 1

Exhibit G.

H. B. Consulate,
Amoy, 23 June 1883.

Mr. Forrest to Mr. Goldsborough.

Sir,

A complaint having been forwarded to the United States Minister at Peking by a certain J. A. Vandenberg against Mr. Edwards at present holding some official position at your consulate, the Minister replies under date April 14th 1883, "I have now the honor to inform you that as Mr. Edwards appears to be a British subject the United States Consul at Amoy was acting strictly within the limits of his official duties in refusing to try

"the

"the action which you
"proposed to bring before
"him". On 30th May 1883, the
United States Minister again
writes: "Mr. Edwards, as the
"Legation is informed, avows
"his British Nationality, and
"in no sense accepts the
"protection of our flag. In
"that case it is, as you will
"readily see, impossible for the
"Legation to direct any legal
"process against him under
"the Treaties. I see no reason
"why you should not secure
"ample justice within the
"exterritorial jurisdiction of
"Her Britannic Majesty."

On 28th February last
Mr. Edwards forwarded to me
a formal certificate of his
registration at the Consulate
of the United States at Amoy
as a United States citizen.

This

This document is dated 19th May 1862, is stamped with the seal of the Consulate and is signed C. N. Le Gendre — Consul. Edwards declared at the time that he forwarded the document that he was an American citizen and no thing else.

Under these circumstances I have the honor to request that you will inform me whether Mr. Edwards is still registered at your Consulate as a citizen of the United States, and whether you consider him entitled to the protection of the United States flag.

I am, etc
(signed) R. T. Forrest.
Consul.

United

№ 271.

United States Consulate
Amoy, June 25th 1883.

Mr. Goldsborough to Mr. Forrest.

Sir,

I have the honor to acknowledge the receipt of your dispatch of the 23rd instant.

With reference to the States of Mr. Edwards, I beg respectfully to refer you to the dispatches of the United States Minister at Peking quoted by you in your dispatch.

I am, etc
(signed) W. E. Goldsborough.
Consul.

Despatch 248.

No 39. Enclosure 1.

Department of State
Washington 4th May 1869.

Mr Davis to Mr. Le Gendre.

Sir,

Your dispatches No. 80, 81 and 82 have been received.

The petition of Mr. J. H. Edwards to Congress to be relieved of the fine imposed upon him by the Consular Court, was received at too late a date to receive any action at the late session of that body. It will be transmitted to the proper committee at the opening of the next Session.

I am etc.

(signed) J. C. B. Davis
Asst. Secretary.

Dispatch 248

No. 164. Enclosure 1.

Mr. Le Gendre to Secretary of State.

United States Consulate

Amoy, 20 March 1872.

Sir,

Referring to my despatch No. 161 and enclosure touching the exportation of Chinese to Havana and reverting to my No. 80 of the 12th January 1869, I now beg to hand you enclosure No. 1. being a letter addressed to me by Mr. J. H. Edwards, who was condemned by the Consular Court of Amoy on February 12th, 1867. for violation of the laws to prevent the Coolie trade, to one year imprisonment a fine of one thousand dollars besides costs.

By leaving the Spanish Consulate

Consulate at the time when the Coolie trade was about to be re-opened under official auspices, Mr. Edwards has afforded me great aid, he being then the only person with whom the Coolie agents could transact their business, as they had placed great reliance upon his knowledge of the undertaking and the local dialect as well as his acquaintance with the different Chinese brokers &c, and the early information which he gave me of the plans of the Spanish Consul, has enabled me to concert with the Consular Body and the local and provincial authorities for the discontinuance of the

trade

trade at this port. They have now given up all idea of establishing a depot at this port and purpose removing to Swatow.

On the 4th May 1869 (Despatch No. 59) the Hon. Asst. Secretary of State informed me that although the petition of Mr. Edwards, to Congress to be relieved of the fine imposed upon him by the Consular Court, had not received any action at the session of that body in 1869, it would be transmitted to the proper Committee at the opening of the ensuing session. Since that time Mr. Edwards has made no new application for relief, but I should respectfully recommend that his former petition may

receive

receive the earnest
support of the Department.

I am, etc.

(signed.) C. N. Le Gendre.

Despatch 248.

No 47. Enclosure 1.

Washington, Jany 15/76.

Department of State

Mr. Campbell to Mr. Henderson.

Sir,

I have to acknowledge the receipt of your despatch No 88 of the 11th of November last, accompanied by the petition of St. Julian Hugh Edwards of Amoy, to the Senate and House of Representatives, asking that Body to remit the fine imposed on him by Mr. Le Gendre, late Consul at Amoy, on the ground of being engaged in the transportation of Chinese Coolies.

In reply, I have to inform you that the Department does not,

and

and will not present
applications to Congress
of private individuals.

I am, etc
(signed). J. A. Campbell.
3rd Asst. Secretary.

Despatch 248
Enclosure 1.

Washington, July 30th 1883.

Department of State

Mr Hale to Mr. Le Gendre.

Sir

Your dispatch No: 164, dated 20th March has been received. It relates to the case of Mr. J. H. Edwards who was convicted in the Consular Court at Amoy in 1869, on a charge of shipping Chinese coolies and was sentenced to one year's imprisonment and to pay a fine of One Thousand dollars. You request that the petition which Mr. Edwards transmitted to Congress in 1869 for the remission of the fine, may receive the support of the Department.

Your despatch has

received

received careful attention in
connection with other
papers on the same subject.
The amount of the fine
imposed upon Mr. Edwards
being, in contemplation of
law, in the Treasury of the
United States; it will be
necessary for Congress to
make an appropriation
for its reimbursement. As
the matter now stands
it is of such a character
that the Dept. cannot
properly take any action
with regard to it, unless to
give information in answer
to a request from either
house of Congress or from
some committee thereof.

I am etc
(signed). Charles Hale
Acty Secretary.

Despatch 248.

No 21 Enclosure 2.

— Mr Young to Mr Goldsborough. —

August 8th, 1883.

Sir,

Referring to your despatch No 138 of March 16th I have the honour to inform you that having carefully examined certain papers laid before me by Mr St. John Edwards of your office, it seems clear to the Legation that, his father having been a native of the State of Maine, Mr Edwards is, under section 1993 of the Revised Statutes, a citizen of the United States, and as such, entitled to its protection and amenable to its laws.

Mr Edwards has been informed of this decision.

As he is to be regarded as an attaché of the Consulate rather than a Consular Officer, it will be your duty to entertain jurisdiction in any suit which may be brought before you against him.

I am &c. —

(Signed) John Russell Young.

Despatch 248.

62/1883. Enclosure 1.

Peking, August 8th 1883.

Mr. Young to Mr. Edwards.

Sir,

I have received and considered carefully your letter of June 27th with its several enclosures.

The earlier statements of this Legation that you were a British subject were based upon a report to that effect received from Mr. Consul Goldsborough. But a more thorough examination of the facts and the statute appears to establish the conclusion that you are a citizen of the United States and, as such, entitled to its protection and amenable to the jurisdiction of its tribunals.

I

It would be manifestly improper for me to express an opinion upon points at issue between you and Mr. Vandenberg at the present moment.

I am, etc

signed J. John Russell Young.

Despatch 248
Enclosure 1.

Mr. Goldsborough to Mr. Young.

Shanghai, Aug.t 22nd, 1883.

Dear Mr. Young.

On arriving here yesterday — Judge Denny handed me your despatches Nos 20 & 21. In the latter you say that "his father having been a native of the "State of Maine. Mr. Edwards is, under "Section 1993 of the Revised Statutes, a "citizen of the United States." &c &c"

You, I am sure are not aware that Mr. Edwards father was a "colored" man for if so you would have known that having left the U.S. (if he was ever there) more than forty five years ago, he carried with him to Singapore no citizenship, as men of that race were not citizens of the U.S. anterior to the — adoption of the 14th & 15th Amendments to the Constitution. Consequently a son of such a father born there some 45 years ago could ~~not~~ lay claim to no such title. His father was certainly never in the U.S.

after

after the birth of Mr Edwards, but died soon after that event. As there are on file in the Consulate at Amoy three despatches - the one written by you to me, and two written by you to an Vandenberg and quoted in a despatch from the British Consul to me - in which you recognize the fact that he is not a U. S. Citizen. I shall therefore not file your despatch until I have heard from you in reply to this, as under the circumstances it would seem to me awkward so to do. Trusting that my action will meet with your approval, and regretting that you were not informed of these facts before.

I am, Yours very truly,

(Sig[d]) W. Elwell Goldsborough

Hon. John Russell Young.

Despatch 248

No. 23. Enclosure 1.

Mr. Young to Mr. Goldsborough.

Pekin, 31st August, 1883.

Sir,

I am in receipt of your unofficial letter dated August 22nd, 1883, in reference to the case of Mr. Edwards. - Your action in reserving my despatch until I had considered certain points which had occurred to you, and which might have value was using a proper discretion.

On the 16th of March you wrote a despatch in reply to an inquiry from the Legation, in which you said that Mr. Edwards was a subject of Her Britannic Majesty's, and not a citizen of the United States, that he was a native of Singapore, and had come from thence to China. On this statement I answered in my despatch No. 15 dated April, 16th, 1883, affirming your opinion, and in the absence of other evidence I took

took your belief for granted that Mr. Edwards was an English subject.

Mr Edwards has since then laid before the Legation a voluminous series of papers, in which he claims American citizenship based upon the following facts.-

1st That his father was a native of the State of Maine.

II. That he himself was born in Singapore of American parentage.

III. That he had not expatriated himself, nor had he committed any crime so as to forfeit his right of citizenship as an American.

I understand you, in your note to accept these three points, they seem to be clearly established by the evidence with which Mr Edwards accompanies his petition to the Legation.-

The only point which might seem to affect the claim was, as he himself admits an occasion when to avoid some

some threatened legal penalty Mr. Edwards claimed British protection. It is a part of this record also that Her Britannic Majesty's minister at the time Sir Rutherford Alcock, declined to accept this declaration, and informed Mr. Edwards that the evidence shewed him to be an American, and that he must hold himself answerable to American laws.

With the exception of this isolated and not praiseworthy act Mr. Edwards has always held to his citizenship, has so registered himself at our Consulate, and now holds an office in your Consulate under the President's appointment. The further considerations you present I will give in your own words:—

"You, I am sure, are not aware
"that Mr. Edwards' father was a "coloured"
"man, for if so you would have known
"that having left the U. S. (if he was ever
"there) more than forty years ago, he

"carried

"carried with him to Singapore no
"citizenship, as men of that race were
"not citizens of the United States, anterior
"to the adoption of the 14th and 15th Amendments
"to the constitution. Consequently a son
"of such a father, born there some forty
"five years ago, could lay claim to
"no such title. His father was un-
"certainly never in the United States after
"the birth of Mr Edwards, but died soon after
"that event"

Taking the fact to be as laid down in the petition of Mr Edwards, and which until new evidence is advanced neither the Consulate nor the Legation can deny, the question as you thus present it becomes one of law.

The law is declared in Section 1993 of the Revised Statutes, in these words:-

"All Children heretofore born or
"hereafter born out of the limits and-
"jurisdiction of the United States whose
"fathers were or may be at the time of
"their

"their birth citizens thereof are declared
"to be citizens of the U. S., but the rights
"of citizenship shall not descend to
"children whose fathers never resided
"in the United States."

Your argument that because forty or forty five years ago, the father of Mr. Edwards as a "coloured" man, belonged to a race which in many states did not enjoy citizenship, and that therefore this bar sinister as it were should descend to his son, does not commend itself to the judgment of the Legation.

The father of Mr. Edwards was as I have noted in this petition born in Maine. In the constitution of Maine, adopted in 1819 I can find no provision excluding persons of African descent from State citizenship. I note on the contrary the declaration that "all men are born equally free and independent", and also that "every male citizen of the United States of

"the

" the age of twenty one years and
" upwards, excepting paupers, persons
" under guardianship and Indians not
" taxed are entitled to the right of
" suffrage.

Mr Edwards might claim, even granting the soundness of your argument as to his inherited disfranchisement by the nation that he should not be deprived of the rights granted to his father by the State of Maine.

But to put the case upon still broader ground. If the father of Mr Edwards had been a slave, had lived in slavery until his death, and as a native let us suppose of Louisiana or Virginia, under the law of disfranchisement imposed upon slaves, the Legation could not for a moment entertain the argument that this law descended to his son. All this has passed away. By the operation of laws and amendments to the constitution, Mr Edwards is,

granting

granting his petition to be unchallenged as to its facts, a citizen of the U. S. - and subject to our laws. The question of colour cannot be considered. It would be a grave injustice to him and to - others of his race, if because they or their parents had left America at a time when the Dred Scott decision was the law of the land, they should not be allowed to enjoy the benefits - which the ~~recent~~ reversal of that - decision and acts of Congress have conferred upon their brethren in the Slave States at home. - Such an anomaly, I am persuaded was never contemplated by our government and any action of ours under our consular system in the administration of the law of Extraterritoriality, that recognized it would in the opinion of the Legation meet with the disapproval of the Department.

I shall refer the whole subject to the honourable Secretary of State. In the

the meantime, until you have the judgment of the Department, or discover some evidence to controvert that now in the Archives of the Legation, you will regard Mr Edwards as a citizen of the United States.

I am &c—

(Signed) John Russell Young.

No. 249. and (from acting Nov. 1 as Minister)

Ten Enclosures.

writing

DEPARTMENT OF STATE
OCT 30 1883
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Legation of the United States.

Peking, 11th September, 1883.

Mr. John Russell Young to

The Honourable Secretary of State.

— Subject. —

Taxation of Cocoons.

—

Synopsis.

Mr. Young calls attention to the arbitrary increased taxation of Cocoons, whereby great hardship is caused to Messrs. Russell & Co's, filature business.

No. 249. Ten Enclosures.

Legation of the United States.
Peking, 4th September, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

In April last representations were made to the Legation to the effect, that the provincial authorities of Chêkiang, had issued orders to increase the lekin tax upon cocoons from two to four dollars per picul.- The announcement was made suddenly and without warning

at

at the beginning of the cocoon — harvest which lasts but a short — time. It is the custom of those — who manufacture silk to send agents into the cocoon country and — buy from the farmers, a supply large enough for the operations of the year. Our special concern in this is, that Messrs. Russell & Co., in Shanghai, have a manufactory of silk filatures, in which several hundreds of Chinese — operatives are employed. It is — the largest American industry — in China. Heretofore Messrs. — Russell have paid two dollars per picul, Tekin tāl, on cocoons, and under that arrangement, —

have

have created a fair business. They represent to the Legation that the business cannot bear the increased tax. They were induced trusting to previous arrangements on the part of the Chinese to embark a great deal of money in the enterprise, but now, they say "we shall be obliged to close our factory, and throw out of employment many hundreds of "operatives who know no other "means of obtaining a livelihood."

The attention of the Chinese authorities has been called to this subject in a friendly way, as will be seen in the various Enclosures to this despatch. Mr. Brabazon,

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as acting Consul General and Mr. Denny both addressed themselves to the local authorities. I brought the question at once to the notice of the Yamen.

The case was presented as among other things one that concerned the Chinese themselves. The stoppage of the silk filatures of Russell & Co., would not affect that house. But it would take bread from many hundreds of the humblest working class. It would also destroy a trade which lately has been much desired in the province of Chekiang, namely the sale of cocoons. This has been such an advantage to the small Chinese

farmers

farmers that many of them, as I am informed, prefer the cultivation of cocoons for sale to foreigners to the reeling of silk, on their own clumsy hand-wrought machines. The question is surrounded with many difficulties. There is no provision in the treaties which prevents China from taxing her own internal products as she pleases. Therefore the only argument that could apparently have force would be an argument addressed to the self interest of the authorities and the welfare of the people.

The note of Prince Kung which forms Enclosure No 4. will

will give the Department the views of the Chinese Government. The increase of the lekin is defended first on the ground that the imperial revenues largely depend upon the silk industries of Chêkiang, and financial necessities require increased taxation - Moreover, as the Prince adds:- "The tax is "levied upon Chinese subjects, "and foreigners have nothing "to do with it."

There is an impression in the minds of many that the real purpose of the increase is to accomplish indirectly what was attempted without success

last

last winter, namely the —
destruction of all foreign indus-
tries in Shanghai, and especial-
ly working in silk. The —
Department will remember, as
I reported in my despatch No.
69., and in other despatches, —
that a decree was issued against
this special manufactory of Messrs.
Russell &co.,. The attitude of the
Diplomatic Body nullified —
that action. The present method
promises to be more effective. —
If an increase of one hundred-
per cent upon Cocoons will not
make it impossible for the —
foreigner to reel silk, then —
there is no reason why the —

Governor

Governor of Chêkiang should not impose a thousand per cent.

The members of the Diplomatic Body, with the exception of my Japanese Colleague are absent from Peking for the Summer. As soon as they return, I shall lay this question before them, and see if some joint action on our part will not induce the Government to abandon a policy, which while it affects foreign interests to a certain effect is much more disastrous to the Chinese. Beyond protesting against the decree as an unfriendly act, I see no means of inducing its withdrawal.

The English have large silk interests

interests in Shanghai. I believe, England and the United States are the only powers directly concerned in this interdict. I have conferred with the British representative, and the conclusions here given to the Department are virtually what his own observations lead him to form.

I have the honour to be,

Sir,

Your obedient servant.

Enclosures.

Enclosures.

1. Russell & Co., to Mr. Cheshire.
April, 13th, 1883.
2. Mr. Cheshire to N. E. Kii.
April 21st, 1883.
3. Newspaper Extracts of Regulations &c.
April 24th, 1883.
4. Mr. Cheshire to Mr. Young.
No. 164. April, 25th, 1883.
5. Mr. Young to Mr. Cheshire.
No. 63. May, 14th 1883.
6. Mr. Denny to Governor Kii.
May 31st, 1883.
7. Prince Kung to Mr. Young.
Informal. June 12th, 1883.
8. Governor Kii to Mr. Denny.
June 12th, 1883.
9. Russell & Co., to Mr. Denny.
July 4th, 1883.
10. Mr. Denny to Mr. Young.
No. 184 July 25th, 1883.

Despatch 249.
Enclosure. 1.

Russell & Co. to Mr. Cheshire.

St Hai, April, 13th, 1883.

Sir,

Referring to our conversation on the subject of the proposed new regulations for increasing the Lekin taxes on Cocoons. We beg to ask your official assistance in preventing the levying of a tax which would be a prohibitive one for our Silk in Filature.

It is admitted we believe by the Chinese that their object is to force the closing of such industries having failed in their endeavours to do so by other means. Considering that the avowed object of the officials is the closing by fair means or foul of such industries as Filatures under Foreign management, we beg to give you notice that in the event

event of their succeeding or of their)
being able at their own pleasure to
place such taxes on the business as
to practically ruin it, or, make
it, from such causes, not worth-
pursuing, that we shall bring
a claim against the Chinese-
Government for damages, which
we shall use our best endeavours
to enforce.—

We have &c.—

(Signed) Russell & Co.—

Despatch 249.
Enclosure. 2

Mr. Fleshire to H. E. Sir.

Shanghai, April, 21st, 1883.

Sir,

I have the honour to - inform Y. E. that I have rec'd from Messrs. Russell Bros., a copy of a new set of regulations - 8 articles in all - for the increasing of the tax on cocoons, submitted by the Head Lekin office in the province of Chekiang to Y.E. I have carefully perused these regulations and I am of the opinion that, their enforcement will have a very serious and detrimental effect upon foreign trade and will have an injurious effect upon the revenue of your country; further, that they are not drawn up in strict accordance with existing treaties. I purpose therefore to lay before Y. E. some facts in regard with trade in -

cocoons

cocoons as carried on by foreign merchants.

Foreign merchants obtain their supply of cocoons chiefly from five districts in the interior namely - Soochow, Wusi and Li Yang in the province of Kiangsu and from Shaohsing and Fu Yang in the province of Chekiang. The value in Shai of silk produced in these districts averaged during the past few years from 200 to 300 taels per picul, whilst silk produced in the districts of more reputation, like Chia Hsing, Huchow and Nanzing, in the province of Chekiang, is more highly estimated and its value averages from 300 to 400 taels and upwards per picul. The inferiority of the silk produced in the first named districts is not owing to the cocoon being poor but to the fact that, the

Country

country people there do not understand good processes of spinning. Some years since the supply of cocoons in some places within the said five districts was very limited, but since the buying of cocoons by foreign merchants has steadily increased and the demand developed, the country people have year by year increased the planting of mulberry trees and thus enlarged the harvest of cocoons. The country people in general seem to prefer to dispose of their harvest of cocoons in that way, rather than to go on with the spinning which requires labour and expense and certainly less remunerative. Therefore is not the selling of cocoon a boon to the districts concerned? In Wu Si during the past season the average cost of cocoons to native

native dealers was $26 per picul, which price is calculated on the average value of silk produce in that district; whilst foreigners paid $35.- per picul for mixed cocoons. There can therefore be no doubt as to whether the country people reap more advantage in selling cocoons or in selling silk.

In the matter of lekin on cocoons, a tax of $2.- per pic is now imposed, and from the mixed quality of cocoons which are purchased by foreigners it requires 16 peculs to make one pecul of silk at which rate the lekin reaches $32 00/100 per pecul of silk, whilst according to the fixed regulations the ordinary rate on silk is from $24 to $30 per picul; it will then be seen that the present rate on cocoons is higher than on silk. In view

view of this fact it would be decidedly unfair for the Chinese authorities to alter the present regulations and raise the rate of taxing cocoons, and, besides this, such a change would prove very detrimental and injurious to the interests of trade.

With reference to the Permit mentioned in the proposed regulations etc.- I would call H.E.'s attention to the fact that it is only necessary for foreigners to provide themselves with transit passes when they go into the interior to purchase native produce, which document protects their goods under transit to a treaty port. I am not aware that any other document is necessary. There is nothing whatever in the treaties requiring that in addition to the transit pass a permit should also be obtained.-

obtained. The treaties between the U.S. and China having been concluded and determined by the respective countries, it becomes the duty of citizens and subjects - officials or civilians of each - country, to regard and respect their stipulations. What right or authority have the Lekin - authorities to issue a regulation not in accordance with the treaty and thus lead to trouble and complication.

Further, in the 1st. article of the Treaty negotiated between the U.S. and China of 1881 it reads:-

"The Governments of the U.S. and
" China, recognizing the benefits
" of their past commercial relations,
" and in order still further to promote
" such relations between the citizens
" and subjects of the two powers,
" mutually agree to give the most
" careful and favourable attention

" to

"to the representations of either
as to such special extension of
commercial intercourse as either
may desire". Now the new
regulations issued by the Tokio
Authorities are not only of no-
advantage or benefit to the
commercial classes of the two
countries, but on the contrary they
are calculated to be prejudicial to
their interests, and are therefore
greatly at variance with the
intention and meaning of the
article of the treaty cited above.

Again, in their communica-
tion to H.E. the Tokio Officers
state that the silk merchants
have petitioned to effect that
the country people, actuated
with a desire to serve their
own convenience, sell their
cocoons - the demand for which
is large - and then produce a
very small quantity of silk,

which

which has a detrimental effect
effect upon upon the trade in that
article. To this statement I would
reply, that, merchants should
have a perfect right to suit their
own convenience in the matter of
conducting their business.

I would also point out that
the quantity of silk produced in
the two provinces of Kiangsu and
Chêkiang both for foreign and in
internal consumption amounts
to about 100000 peculs a year,
whilst the silk produced from
cocoons purchased by foreigners
amounts to not more than 700
odd peculs; the proportion in
therefore is a trifling one as
compared to silk, and in
view of this fact, how can the
sale of cocoons prove detrimental
to the silk interests? It is evident
that in making this statement,
the silkmen were actuated by

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a feeling of jealousy toward the native cocoon dealers and have thus deceived the officials by representations which, on the face of them, appear to be unfounded - doubtless with a view to securing for themselves a monopoly of the entire silk trade and prevent the sale of cocoons to foreigners.

In conclusion, I would beg to state, that the tax levied on cocoons is based according to the rate of tax levied on silk. Now, as the rate on silk is to continue the same as hitherto under the old regulations, why should the rate on cocoon suddenly be increased double? While the Pekin authorities say, this tax is levied on Chinese dealers, yet it is apparent that these men will certainly not fail to calculate all the expenses incurred by them

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in carrying on their trade in cocoons, and if there is an increase in tax, it naturally follows that there will also be an increase in price, which in reality will have to be paid by foreigners who make purchases of cocoons, and if such is the case then the result will be that the trade will suffer, — and any injury to trade means a loss to the revenue of China.

I believe that Y.C. is an officer of experience and well versed with matters concerning the commercial interests of foreigners and Chinese and I trust that you will see that I have taken the right view of the matter under consideration. In making this communication I hardly need say that I trust you will at your earliest convenience instruct the

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Ekin authorities at once to withdraw the new regulations referred to and that the old ones may continue in force which I believe will be advantageous to both the people and general trading interests. —

Shanghai. —

(Signed) F. D. Chesheré
U. S. V. C. G. in Charge.

Despatch 249.
Enclosure. 3.

The
North-China Daily News.

IMPARTIAL, NOT NEUTRAL.

SHANGHAI, APRIL 24, 1883.

THE TAXATION OF COCOONS IN THE INTERIOR.

The following Documents have been handed to us for publication :—

A Despatch by Two Officials of the third and fourth ranks, Chief Superintendents of the Lekin Bureau of Chekiang, to consult about a certain matter.

"That whereas it was found in the records of this Bureau that in former times the trade or cultivation, of silk cocoons had been very extensive it was considered important to consult measures with high authorities of the province of Kiangsu with respect to forbidding the opening of Silk Filatures in Shanghai, the increasing of likin on the silk cocoons, and to vigorously enquire into the silk-likin at Shanghai aforesaid. An assent to the above propositions was granted by the high authorities of Kiangsu, which has been placed on file.

The time being winter we have allowed the matter to stand in abeyance, but as spring is near, the people are making preparations to raise cocoons. A report has reached us that in the prefectures of Hangchow, Chia-hsing, Hu-chow, and Shao-hsing certain parties have endeavoured to buy land for the purpose of erecting stoves; this will accordingly increase the number of cocoons for the coming year, and hence it will be necessary to exercise stricter diligence in looking after the silk likin. Moreover it has been manifested that this year the silk hongs have bought from the people indiscriminately, seeking for the easiest method of obtaining the cocoons, and the result is that the demand from other sources exceeds that of the regular channels to the detriment of the revenue derived from the likin on Silk.

We would therefore petition that an interdict be laid on these cocoon cultivators, since the different likin stations and barriers have made a petition to us about the matter. Moreover, the District Magistrate of Fu Yang has also notified us that the gentry of his district have petitioned to him concerning these same stoves for killing cocoons, stating that their erection will spoil the *fêng-shui*, and the inhabitants hence will suffer sickness, and begging us to forbid the building of the said stoves. This shows that their erection is distasteful and unpopular among the people. We on a former occasion petitioned the Futai at Soochow to strike at the root of the matter by asking him to forbid silk filatures in Shanghai, but it is feared that in the Foreign Settlement it will be no easy matter to stop them in a day, and if the silk filatures continue to work it will be hard to stop the transportation of cocoons to them.

Foreigners come into the interior and purchase cocoons from the hongs, therefore it is necessary to consult how such hongs should be managed. There have been certain regulations governing the likin on silk cocoons from the time such an industry commenced, and we would now respectfully suggest that these regulations should be revised of what is detrimental. For this purpose we present Eight Rules for approval. And if the high authorities could manage to make the silk filatures work on a smaller scale, or if there be other plans as effective for the purpose, then at that time we shall again petition Your Excellency to investigate and issue a proclamation about the matter, and also on the one hand order the different likin stations and barriers to act up to the said rules, and on the other hand to request the Futai of Kiang-su to order the Soochow and Shanghai Likin Bureau to do the same, who shall in time give orders to the N. and S. likin barrier station of Shanghai to keep a strict supervision as to how much cocoons have been collected and to make a monthly report on them. —A necessary petition."

The assent of the Acting Futai Têh to the above petitions granted on the 14th day of the first moon in the 9th year of Kuang Hsü runs as follows :—

"The proposition rules submitted to me have my approval, and accordingly I will issue a proclamation to that effect. Notice will also be given to the different lekin stations and barriers to obey them. Moreover, I will send a despatch to the Kiang-su Futai requesting him to notify the lekin bureaus of Soochow and Shanghai about the matter."

Proposed Regulations.

1.—With reference to taxing silk cocoons, it has been the custom to tax them on the same principle as raw silk, that is to say, they are taxed first before being put in the market. This tax was levied on the people by the officials. It is, therefore, suggested that, following the same principle, this change shall be made—that the Licensed Cocoon Hongs should collect the taxes, and shall in turn report the amount to the nearest lekin stations. On a report being made, the lekin office shall depute one or two efficient officials to examine the goods, and thus prevent any attempts at smuggling.

2.—The permits on cocoons hitherto granted differ among Chinese and foreigners; that is to say, foreigners obtain a transit pass from the Customs in which it is expressed that the pass has been granted to a foreign merchant, while Chinese merchants in transporting the cocoons to Shanghai have a silk permit on which large as well as small seals are stamped. It is proposed in the future, when the cocoons have been weighed and are ready for export to tax them according to the transit pass system. If the merchants already have transit passes for goods and wish to export them, they can go directly to likin office and have the necessary stamps of the permits affixed to the transport passes. We would also suggest that orders may be given to the Sung-chiang (松江) and Shanghai head likin offices to have the Northern and Southern barrier stations collect Che-kiang likin passes from both native and foreigners alike. These passes are to be sent monthly to our office for examination.

3.—Treats on the transit passes granted to foreigners.—Formerly the Shanghai Customs communicated with us, saying that the first part of the transit pass was for this purpose; the quantity of goods was written on it, then stamped and separated from the other parts and given to the merchant to be shown on the way, and to be stamped successively by each likin station it passes. The second part was to be torn off and sent to the Shanghai Customs to serve as a tally; the third

was to be placed on file at our office. In the 5th year of Kuang Hsü we asked the Shanghai Customs to communicate with the different Consuls requesting them to notify their subjects after that date, when getting cocoons from Che-kiang, to obtain permits and go to the barrier stations and report the quantity of cocoons they required to purchase. Also that they should procure one pass for each boat, and, in passing any barrier station, allow it to be searched and examined and have the stamp affixed on the pass. We also suggest that the likin stations be notified about the holders of such transit passes, that as each lot of goods (cocoons) pass from the first barrier station they should fill up the permits according to form, designate the quantity of goods and stamp the pass. They are then required to send us a copy, and we will then issue transit passes and permit the goods to proceed. This will thus enable us to examine into the revenue collected by each likin barrier station. The permits and passes given by the likin office can then be compared and examined by the officials of each barrier that the goods may pass through. If the weights do not agree, or if there are no passes, the station which discerns the fact shall detain the boat, and the case shall be treated according to the article provided by Treaty.

4.—The export of cocoons was at one time very small, and a distinction between fresh and dry ones was made, the duty on fresh ones being lighter, in order to encourage those of smaller means among the people. These few years the export of cocoons is very great and their prices have accordingly doubled. Hence the cases of now-a-days and former times are different, and it is therefore necessary to meet such an emergency and raise the duty on them. We find that the country people mostly bring fresh cocoons to the collectors, so we propose hereafter to levy $4.00 duty on each picul and write the quantity on the passes or receipts. As to the dry cocoons, when they shall be ready for export, these receipts shall be changed into the transit passes at the rate of three piculs of fresh cocoons to one picul of dry. And it shall be the duty of the collectors to write out "Dry Cocoons" instead of "Fresh Cocoons" on the passes. The permit shall then be pasted on the duplicate of the pass and forwarded to the head likin office Should the country people roast the cocoons themselves and bring them out for sale, then one catty of dry cocoons shall be considered equivalent to three catties of fresh. And the duty on them will be $12.00 per picul. The collectors shall be allowed to deduct 2½% of the duty levied by way of encouragement. The exported cocoons shall be furnished with stamps issued by the likin stations, which shall be pasted on each bale. The stamps also shall have the weight of each bale written on them, besides the date corresponding to that written on the transit passes. Five catties shall be allowed for the wrappers of each bale of cocoons. The likin stations passed on the road shall examine them and take any bale at random and weigh it to see whether it is correct.

5.—The punishment of traders in cocoons when they break the law is the same for small as great offences. The collectors are already allowed 2½% commission. It is proposed that any countryman who should privately sell cocoons without going to the collectors shall be punished according to the rules of offenders in silk thread, and fined three times the amount of the original likin duty. Collectors who do not report the correct amount of the collected cocoons shall be fined ten times the amount. The countryman who tries to smuggle his own goods should not be punished so heavily as the collectors, for the collectors would be committing a great crime; therefore, this should not be considered too heavy a punishment. Hereafter we propose that if the wei-yuen of each likin office should discover any smuggling of cocoons in his jurisdiction he shall be rewarded thus:—For discovery of the smuggling of 5 piculs cocoons, one merit; for 10 piculs two merits. Discovery of smuggling in small quantities at different times, can be added together under the same rule. Those who discover smugglers that have passed the previous barriers shall be rewarded double merits, and the wei-yuen who has allowed the smugglers to pass shall be demeritted according to the quantity of cocoons, while the wei-yuen who discovers the smugglers shall receive 5% of the fines as a reward. After these regulations have come into force, each wei-yuen shall be diligent in his duty; and if it be discovered that the preceding or following likin barriers have allowed a greater amount of cocoons to pass than the duty received and shall conceal the fact from the head office but shall leave the merchants to make good the defalcation without fining them, and such a thing shall come to our knowledge, then the Wei Yuen shall be dismissed and besides his fault shall be placed on record.

6.—The general rule in issuing licenses to the cocoon hongs has been similar to that of the silk hongs, that is to say, that they are divided into three kinds, high, medium, and low in accordance with the value of the silk. Recently it has been the habit of cocoon hongs to ask for the "low." It is proposed that such hongs as trade in dried cocoons be not allowed to get the "low" license, since such hongs are all opened by rich merchants who drive a very prosperous trade. Hereafter such hongs as have underground furnaces for the purpose of roasting cocoons should be taxed according to the "high" license. Also, that the custom of issuing licenses each year be still followed.

7.—It has been the custom that people from any part of the country be allowed to open cocoon hongs in any place; but as the business extends over a very short period of the year it is necessary that natives only should be allowed to open these hongs, since a large revenue is derived from them. It is therefore proposed that in the future, each cocoon hong before establishment be required to get a substantial silk hong to stand as their bondsmen, for which purpose a written bond shall be given to the nearest likin station, who, after having examined into the matter and approved of it, shall report to the Head Office to grant the necessary license. Should any cocoon hong be indebted to the likin office for money due on duty, then its bondsman shall make good the indebtedness. If there should be no silk hong near at hand to secure the said cocoon hong,

then any proper hong of a different trade may be asked to do so. Without the necessary guarantee, no cocoon hong shall be allowed to be opened. Should any cocoon hong be opened before the license is procured, then the Likin Office shall get the district magistrate to close it. Should any person open a cocoon hong fraudulently using a foreign hong's name, then he shall be punished in the same manner as Huang Chi-fu of Jardine, Matheson & Co., who in the 5th. year of Tung Chih was punished by H.E. Li by confiscation—a punishment according to law.

8.—When a cocoon hong is a large one, it invariably has drying furnaces, and these either may effect the *fêng shui* or be the means of causing loss by fire. There is a law case referring to these matters solely for the advantage of the merchant; still he should have a regard for others. It is proposed, therefore, that if it be the intention of a cocoon hong to build a furnace, he should first consult with the gentry of the place and gain their approval. Then, these shall assist the hong in petitioning the local officials of the place, who, having looked into the matter, and finding that there will be no risk, shall make a record of the consent. But should any cocoon hong build furnaces without first gaining the required consent, then the local officials shall make a strict investigation; and if they should find that there be risk and danger, then such a cocoon hong shall be closed and its members placed in confinement.

Despatch 249.
Enclosure. 4.

No. 164.

Mr. Cheshire to Mr. Young.

Sinai, April, 25th, 1883.

Sir,

Some time since I recd a communication from Messrs. Russell & Co in relation to certain changes which the Lekin authorities in the Province of Chêchiang, proposed to make in the matter of the purchase of cocoons by foreigners in the interior, as well as for the increasing of the Lekin taxes on that article of commerce.

A copy of the proposed regulations was sent to me, and on a careful perusal of them I was convinced that their enforcement would not only prove prejudicial to the interest of trade, but that they were in

some

some
respects drawn up in violation 1)
of existing treaties and trade-
regulations.

In view of the near approach
of the cocoon season, and the
prejudicial effect these new regu-
lations, if enforced, would have
on the working of the filatures at
this port, and the trade in raw
cocoons in general. I addressed
a communication to H.E. the
Governor of the Province of Chêkiang
upon the subject, a copy of
1/- which forms an enclosure.

While I am inclined to
believe that the assurance of
these new regulations is for no
other purpose than to compel
foreigners to close their filatures,
yet I have thought it best not to
dwell upon that point in my
despatch to the Governor, but
to shew in a general way
how unfair and unreasonable

it

it would be to enforce a set of rules which would have a detrimental effect upon the commercial welfare, both - foreign and native, as well as upon the revenue of China.

The most unreasonable feature of the new regulations is the proposed exaction of 100% more lekin tax on cocoons, - than is levied on silk, which would be a prohibitive one for the silk Filatures. The Lekin tax levied on cocoons is paid by natives, before the - foreigners make their purchases in the interior, and it is evident that an increase of the tax, from two dollars to four dollars per picul means a corresponding increase in first cost to foreign merchants.

It is to be hoped that the Governor will comply with

the

the request I have made and cause the withdrawal of the regulations referred to.

2/- I enclose copy of the proposed regulations, and also copy of Messrs. Russell & Co's communication to me.

You will observe that in the event of Messrs. Russell & Co., Filatures being interfered with by the issuance of these new regulations they will claim on the Chinese Government for whatever loss they may sustain.

I have

(Signed) F. D. Cheshire

T.C.G. in charge.

— Enclosures. —

1. Mr. Cheshire to H.E. Lin.
2. Copy of the Regulations.
3. Messrs. Russell & Co. to Mr. Cheshire. —

Despatch 249.
Enclosure 5.

M.63.

Mr. Young to Mr. Frelinghuysen.

May. 14th, 1883.

Sir,

I have had the honour to receive your despatches numbers. 166, 167 and 168.

In reference to the proposed increase of the Likin tax on cocoons which forms the subject of your 167- I have read with care your correspondence with the Governor of Chê Kiang and trust that your arguments may have the effect of inducing that official to rescind the regulations which you enclose.

The question is surrounded with many Embarrassments. It is difficult to resist the impression that the real purpose of the Government is indirectly to destroy the Silk filatures & manufactories

manufacturies in which our citizens have so important an interest.

I shall bring the question to the attention of the Foreign-Office and especially the intimation in the letter of Russell Bro, that in the event of their business being interrupted they will make a claim for damages against the Chinese Government.

I am &c—

(Signed) John Russell Young.

Despatch. 249.
Enclosure. 6.

Mr. Denny to Governor Li. —

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May. 31st, 1883.

Sir,

I have the honour to acknowledge the receipt of H. E's despatch of date the 22nd inst. in reply to a communication addressed to you by Mr. Actg Consul Genl. Cheshire in regard to the new regulations recently issued by the Lekin authorities in the Province of Ché Kiang for the increasing of the Lekin tax on cocoons rec. —

As the question is one of great importance to American merchants interested in the silk filatures at Shanghai it was reserved with United States Minister by Mr. Cheshire previous to my return from the United States on leave of absence. I would inform H. E. that Messrs. Russell & Co., have already purchased their yearly supply of cocoons from Ché Kiang for their filature and it would be a

a serious loss not only to that firm but to the natives they employ & they are obliged to pay double the amount of Lekin to that levied last year as this would practically compel them to close their filatures which would throw out of employment more than one thousand native operators who have become skilled in working with the filature machines, and who really have no other money getting occupation to fall back upon. To increase the Lekin on cocoons, therefore, at the expence of the livlihood of so many natives who will be thrown out of their present occupation, it is needless for me to say, would be a very unwise act on the part of China.

I beg that H. E. will instruct the Lekin authorities to allow Messrs. Russell Bros., to pass the cocoons which they have already purchased

for

for their signature in accordance with the old regulations and if my Ministers advises me that the new regulations receive the support of the Peking Government I will see that Messrs. Russell Bros., pay the Entire amount.

I have &c.—

(Signed) C. R. Dinney.

Consul General.

Despatch 249.
Enclosure 4.

Prince Kung to Mr. Young.

Informal. June, 12th, 1883.

Sir,

Upon the 16th ultimo you sent Mr. Secretary Holcombe to this office to speak about a proposal of the Chekiang Lekin Tax Office to increase the Lekin tax upon cocoons. He submitted a copy of a despatch addressed by the Consul to the Governor of Chekiang upon the subject, and requested that orders be issued that the system hitherto adopted be adhered to, etc. etc.-

I am now in receipt of a report from the Governor of Chékiang in which he states that largely owing to the change of dry cocoons into green cocoons, a great evasion of the regulations has arisen, and in recent years a falling off in the Lekin revenue

from

from this source to the extent of hundreds of thousands of taels per annum has resulted.

This is a matter of great importce both to trade and Government revenue. Hence the Lekin tax office has carefully drawn up appropriate regulations and orders for their general observance have been issued. He had also received through the Intendant of Circuit at Shanghai, Mr. Consul Cheshire's despatch to which an answer point by point had been made. - The silk revenue of Chekiang is largely depended upon to meet the expenses of the Imperial Government. The increase or diminution of the tariff ought in reason to be left to be governed by the needs of the occasion. At present the tax is levied from Chinese Subjects and Foreigners have nothing to do with it. -

The

The transport permit provided for is the same as a transit pass, and the treaties are violated in no point, etc. The Governor also encloses a copy of his response to Mr. Cheshire.

Upon this report I have the honour to observe that cocoon and silk taxation has existed in the province of Chêkiang for many years. Recently, because of the irregularities growing out of the substitution of green for dry cocoons, the revenue has decreased, and hence the Chêkiang Lekin Office has devised satisfactory regulations to remedy this defect. This revenue is collected exclusively from Chinese subjects, and has nothing to do with foreigners. The transport permit is modeled

modeled after the transit pass, and is issued in sets to facilitate examination and to avoid delays. This mode has been followed since 1879, with good results, and is in no sense a new departure.

I have examined carefully the Governor's reply to Mr. Consul Cheshire, and it seems to be correct in every particular. I enclose a copy for your consideration.

Card and compliments.

Despatch 249.
Enclosure. 8.

Governor Liu to Mr. Denny.

Nanqchow June, 12th, 1883.

Sir,

I have the honour to state - that on the 4th of the 5th moon (June 8th) I was placed in receipt of a despatch from the honourable Consul General - wherein you stated:-

(Here the despatch is quoted verbatim)

On receipt of the above despatch I would beg to observe that the increasing or decreasing of lekin tax, which raises or lowers the price of goods accordingly, does not necessarily secure gain or bring loss to business. It is my opinion that the foreign merchants would not cease in reeling silk simply on this account (the increasing of lekin); and if foreign merchants not wishing to continue the reeling of silk should stop the working of their filatures it does not seem likely that the natives employed therein - would be destitute of Employment and

be

be obliged to depend on the foreign filatures for their support.

I may also state that the purchase of cocoons from the interior not only proves detrimental to the Lekin revenue but it also interferes with the interests of the country people who make it their business to reel silk.

Further the practice of passing "dry" cocoons through the barrier stations for "fresh" ones is calculated to cause trouble and complication.

It was from a desire to promote the welfare of the country and to further the interests of the people that the province of Chêkiang has thought it wise to take the above referred to steps in this matter.

The Lekin being levied on the country people the regulations do not therefore interfere with the rights of foreigners.

The various barrier stations have now put the new regulations in force, and as all matters should

be

be treated without partiality, it would be inconvenient to instruct the Lekin office to let Messrs. Russell & Co's supply of cocoons pass the barrier in accordance with the old regulations.

I may further state that I have long heard that the honourable Consul General is a man of broad principles and considerate of others' interests and is capable of looking at things from their point of view.

I have the honour therefore to address this communication in reply to your Excellency's which I beg you will favour with perusal.

I have &c.—

(Signed) Lin

Despatch 249.
Enclosure. 9.

Russell & Co., to Mr Denny.

Shai - July 7th, 1883.

Dear Sirs;

Referring to our letter of 28th May last we now beg to inform you that we have been obliged to submit to a payment of a double Likin tax (as compared with the rate charged in previous years) on all the cocoons purchased by us and brought from the Chêkiang province this season.

Though mentioned to you in other letters on this subject we may here repeat that the filatures reeling industry cannot bear this increased tax and unless the rate is reduced to the same point as charged in previous seasons and on which basis we were tempted to embark so much money in the enterprise, we shall be obliged to close our factory and thus throw out of employment many hundreds

of

of operators who know no other
means of obtaining a livlihood.
We therefore beg to ask that you
will so represent the matter at
Peking as will cause it forthwith
to see the justice of our claim and
give orders for the immediate re-
payment of the amount over-charged
as well as to prevent any such ex-
actions in the future. We now
beg to hand you herewith four
certificates of shipment or passes
from the country representing:—

No. 3.	Pcs. 37.37 catties from	Chü Yen district
" 4	32.07	— do —
" 5	35.54	— do —
" 3	60.60	Yü Yao district

Say in all 164.61 on which we
have been compelled to pay a
Lekin duty of Mex. $12. per picul —
amounting to Mex. $19.75. —

The cocoons were partially dried
and represent in quantity Pcs 493 pcs

of

of fresh cocoons on which the proper duty according to the last and in previous years levy would have amounted at $2.- per picul to $987.66 We therefore have a claim for the repayment to us of the difference say $987.66 or one half the amount paid.—

We are &c.—

(Signed) Russell Tbo.—

Despatch 249.
Enclosure 10.

No. 184

Mr. Denny to Mr. Young.

Shanghai. July. 25th, 1883.

Sir,

Adverting to Mr. Cheshire's no. 167 of April 25th last relating to certain additional charges which the Lekin Authorities of Chêkiang Province proposed to put upon cocoons purchased in the interior by foreigners. I now, have the honour to inform you that those charges which I consider illegal have been levied and collected. I sincerely trust this of the Lekin Authorities will not be sustained by the Peking Government as it would result sooner or later in a complete suppression of this industry so far as foreigners are concerned. For the information of the Legation I enclose additional correspondence, had upon this subject.

I am &c. —

(Signed) O. N. Denny.

Consul General.

— Enclosures —

1.

1. Governor of Chekiang to Mr. Denny.
2. Mr. Denny to to Governor of Chekiang.-
3. Russell Bro., to Mr. Denny. -
4. Certificates of Shipment. (Chinese)

Col Morgan

No. 250. One Enclosure.

Legation of the United States.

Peking, September 4th, 1883.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Salary account.

Synopsis.

Forwards Statement of this account for quarter ended June 30th, 1883.

JM

No. 250. One Enclosure.

Legation of the United States.

Peking, September 4th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:—

I have the honor to enclose herewith a statement of my account for salary for the quarter ended June 30th, 1883. 1/250.

I have the honor to be,

Sir,

Your obedient servant.

Enclosure.

1. Mr. Young's salary account.

PRESS OF
FOREIGN RELATIONS
1883

Young

No. 251. One Enclosure.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

Legation of the United States.
Peking, 4th September, 1883.

Mr. John Russell Young to
The Honourable Secretary of State.

— Subject. —

Commercial.

— Synopsis. —

Mr. Young reports probable formation of New Chinese Steam Ship Company, under auspices of Li's great rival Tso Tsung T'ang. Regards project — hopefully as a harbinger of progress in the introduction of steam on land.

No. 251. One Enclosure.

Legation of the United States.
Peking, September 4th, 1883.

To the,
Honorable Fred'k T. Frelinghuysen.
Secretary of State.

Sir,

As an evidence of the purpose of the Chinese to advance their mercantile and commercial interests in China, in their own way, and under the management of their own people. I enclose the translation of an article from a native journal. 1/251.

From

From this, it will be seen, that the Viceroy Li, has resolved to establish a line of steamers to run between Shanghai and Tientsin. The value of this announcement may be understood, when it is remembered that the largest steamships company in China, namely the China Merchants' Steam Navigation Company, is owned by Chinese exclusively. This was organized by Li Hung Chang, who is, believed to have a leading business interest in the enterprise. The plant was formed by the purchase of the vessels owned by the American house of Russell & Co.,. The fleet has been largely increased and new vessels are-

building

building. The published statements of its business shew a large profit. This comes mainly from the monopoly of carrying what is known as the "Tribute Rice" to Peking. There is not a foreign steamship line in the China trade which would not carry this rice for one half or one third the price paid by the Chinese authorities to the Chinese company. The authorities, however, regard the payment, as an indirect subsidy and prefer to strengthen their own commercial interests - even at the expense of the imperial revenue.

It is believed that one of the purposes

purposes of the company in adding to the fleet is to open commercial relations with European and American ports.

Now that the Viceroy Tso, tempted perhaps by the success of the enterprise under the control of his great rival Li, enters with a new company, it will be of interest to note the effect of competition in so important a business as navigation by steam. I cannot help but regard it as an evidence of progress, and cherish the hope that this development of domestic rivalry, may lead to other and more important ventures, especially in the matter of

railways

railways.- Now that the Chinese
appreciate the use of steam on the
water, it is to be hoped, they may
readily come to see the advantage
of steam on land.

I have the honour to be,

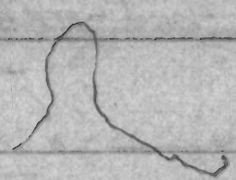
Sir,

Your obedient servant.

Enclosure.

THE NEW CHINESE STEAMSHIP COMPANY.

THE *Shên-pao* says:—His Excellency Tso Tsung t'ang is to establish a new Steamship Company, with the head-office at Tientsin. It is intended to purchase eight steamers to run between Tientsin and Shanghai and the Riverine ports. The ground selected for the Company's premises at Tientsin adjoins the eastern godowns of the China Merchants' Steam Navigation Company's property, and extends to a well-known eating house called Heun Wha Cheun, in Tzo Chao Ling, Tientsin. The ground belongs to the estate of the late Mr. Chu Yun-foo; the property was mortgaged to the China Merchants' Steam Navigation Company, and now the heirs of Mr. Chu Yun-foo have redeemed it for the sum of Tls. 20,000, and sold it to the new steamship company. It is said that H.E. Tso has petitioned the Emperor for leave to proceed with this new undertaking. The new company will be under the management of Wu Taotai.



Add by no 4 File

No. 252 One Enclosure.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

Legation of the United States.

Peking, 4th September, 1883.

Mr. John Russell Young to

The Honourable Secretary of State.

Subject.

France and Tonquin.

Synopsis

Mr. Young forwards a newspaper Extract, concerning the French Manifesto to the Tonquinese.

No. 252. One Enclosure.

Legation of the United States.
Peking, September, 4th, 1883.

To the,
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

As a further reference to my despatch No. 230, I have the honour to enclose a copy of a proclamation addressed to the inhabitants of Tonquin by the Commander of the invading French forces.

Very little is known in Peking as to the exact condition of affairs in Tonquin and Annam. M.r Fricou

Tricou, the French minister has not come to Peking, and I learn in conversation with Viscount de Semallé, the Secretary of the French Legation that His Excellency has no intention of doing so. On the contrary his flag flies in Shanghai, and there he transacts all business. This statement confirms what Mr. Tricou said to me in Shanghai, namely, that under no circumstances would he bring his flag to Peking. The Grand Secretary Li, intimated that the Yamên would not recognize Mr. Tricou, until like other ministers he visited Peking and presented his credentials to Prince Kung.-

This,

This, I think, the Yamên will -- not do, fearing to invite an Explosion of temper on the part of the French. On the contrary, I happen to know, that Mr. Bricon has already made important communications to the Yamen, and they have been accepted as coming from a minister who had been accredited and received in due form.

I have the honour to be,

Sir,

Your obedient Servant

Enclosure

Enclosure.

THE FRENCH MANIFESTO TO THE TONQUINESE.

The subjoined translation of the proclamation issued by M. le Commissaire General Harmand, on assuming the administration of affairs in Tonquin three weeks ago, indicates the future policy of France in relation to that country:—

"*Ha* (Harmand), Representative of the Republic of France, Plenipotentiary Envoy, etc., etc., etc.

"To the men of the people, merchants, *literati* and mandarins of Tonquin.

* * * * * * * *

"France is a great and a powerful nation, whose name is feared and respected throughout the entire world. Having a power which is unconquerable, it is permitted to her, without compromising her glory, without belying her genius, to show herself patient and generous.

"It is for these reasons that she used towards Annam all means of conciliation, and that she has borne many grievances.

"But, everything has a limit, and the time for patience has now passed. France has decided to demonstrate, here (in Tonquin) as well as elsewhere, that treaties concluded with her are of serious import, that while at the same time she herself respects them, she wishes it to be understood that they must be respected.

"Your country has for a long time been plundered by bands of robbers (brigands) and ruffians, the disgrace of all nations whom no people would acknowledge as their own.

"These then, we will drive away and rid you of them, thus making them pay dearly the cost of their crimes. We are going to establish amongst you that Peace which gives birth to riches, and to watch over it so that it will be troubled no more. We desire that each one may enjoy the fruits of his own labour.

"It is not our intention, nevertheless, to conquer your country. It is only the wish of France, that the Mandarins who rule over you be just and honest men. We also wish that the taxes which you pay, may serve to strengthen the safety of the people and of the trade which is to be unrestricted in the interior and throughout all the provinces.

"We will allow all those Mandarins to retain office who will conform to this changed aspect of affairs, and for which we shall give sufficient guarantees of good faith. These men we will protect and they will have naught else than to rejoice at our presence.

"But there are some on the other hand, who, harboring in their hearts evil designs against us, will be driven away unmercifully, and if they still try to trouble us we will pursue them, if it be necessary, even to the centre of the citadel of Hué, which place shall fall into the hands of our sailors and soldiers just as easily as will the other fortifications. The fate reserved for these latter makes one tremble.

"Have confidence in us. France shall never forsake you, and you shall very soon see Tonquin recover its former prosperity."

Haiphong, 25th July, 1883.

TELEGRAM RECEIVED.

FROM Tientsin

Sept. 10 1883

Secretary State
Washington

Please duplicate instructions
Kill claim despatch
lost

Young

Rec'd Sept 10 1883, M

Operator.

No. 253.

Legation of the United States.
Peking, September 10th, 1883.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 145. 146. 147. 148. 149. 150. 151. 152. 153. and Circular of July 25th, have been received.

No. 253.

Legation of the United States.

Peking September 10th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have had the honor to receive the instructions of the Department bearing dates and numbers as follows:— No. 145. of July 17th; No. 146. of July 18th; Nos. 147. and 148. of July 19th; No. 149. of July 23d; No. 150. of July 24th; No. 151. of July 27th; No. 152. of July 27th; No. 153. of July 28th; and your circular instruction dated July 25th, and making inquiry

inquiry as to the 4
compensation, allowances,
and aid given to her
diplomatic Representatives
by the Government of
China.

I have the honor to be,
Sir,
Your obedient servant.

Jno. Russell Young

No. 254. One Enclosure.

DEPARTMENT OF STATE
OCT 30 1883
RECEIVED

Legation of the United States.

Peking, 10th September, 1883.

Mr. John Russell Young to

The Honourable Secretary of State.

Subject.

Opium.

Synopsis.

Mr. Young forwards Extract of a letter from Mr. Turner, Secretary of Anti-Opium Society of Great Britain - in reference to China's attitude for the suppression of the Opium traffic; and, in compliance with desire

had

has brought subject informally to His attention.
Mr. Young adds one or two observations to his
repeated reports to the Department on this
same subject:-

One, the fallacy of the argument used
by China for suppressing its own growths -

and, the miseries of millions in the withdrawal
of land to grow a drug that only leads its
consumer to misery and shame.

No. 254. One Enclosure.

Legation of the United States.
Peking, 10th September, 1883.

To the,
Honourable Fred.k T. Frelinghuysen
Secretary of State.

Sir,

The Reverend Doctor Happer of Canton, forwarded to the Legation an extract from a letter addressed to him by Mr. Turner the Secretary of the English Anti-Opium Society in reference to the attitude of China on the question of the suppression of the opium

1/254

Opium. He requested me to bring it to the attention of Li Hung Chang, the Grand Secretary.

This I have done, without expressing any opinion as to the justice of the criticisms of Mr. Turner I have on many occasions, as I have reported to the Department, spoken with the Viceroy on the subject, and always with the view of attaining a result which would release China from the odious wrong under which she rests, and at the same time do so in a manner that would recognize the peculiar financial embarrassments attending British rule in India. Any violent or drastic policy on the part of China would

would be barren, and especially now when the doubtful attitude of France makes it the wisest statesmanship to avoid all complications with Great Britain.

As to the apparent — indifference of China to the — cultivation of the poppy on Chinese soil, and the impression that this shows a want of sincerity on her part, in professing to desire the — extermination of the Opium evil; one or two observations may not be out of place. The authorities say if we must have opium from — India, if we cannot release ourselves from the treaties, if we are compelled to accept a trade which

India

India holds as a monopoly, — yielding her ten millions sterling a year, and making it possible for Great Britain to hold her vast and magnificent dependency: if this traffic is imposed upon us as an inexorable burden, then — why not grow our own opium, — and if we cannot defeat England by the laws of diplomacy, seek the laws of nature.

There is an apparent practical force in this rude argument which at first sight would commend itself to other statesmen than those who govern China. "Once let us have an end of the Indian opium", "they say", "and we can deal with

"our

"our own growth in our own way."

The fatal objection to this, - as I have said to the Grand - Secretary is, that by the time Chinese competition in the growth of the poppy, destroys the Indian trade, (if such a time ever comes,) China will be so permeated, or saturated with - Opium, that nothing but revolution will exterminate it. In an Empire which has suffered from appalling famines, where famine may come at any time, where every acre is - needed to give food to a redundant population, every field of the poppy represents so much wheat and - rice, corn and millet, taken - from the granaries of the people, -

and

and given to purposes of misery and shame.

I have the honour to be,

Sir,

Your obedient Servant

Wm. Turner Gunyon.

Enclosure.

1. Extract of Mr. Turner's letter.

Despatch No. 254.
Enclosure.

Extract.

× × × × ×

What is wanted for the settlement of this Opium difficulty is a clear-formal expression of the demand of the Chinese Government. Strange to say, since the Tsungli yamên wrote the famous despatch to Sir R. Alcock in 1869 China has never sent to our Government any expostulation about the Opium trade on moral grounds. The voluminous correspondence published harps upon rates of Lekin and nauseaum; but there is hardly a line which charges the Opium trade with being a physical and moral injury to the people. N.E. the Viceroy Li wrote to me a very powerful letter, which was published in the "Times". But our Government can easily ignore anything written to a private person. Moreover N.E. Li is himself only an individual, though of rank, reputation and influence.

Why

Why does not the Chinese Government put down in black and white, what it wants to do, and have done about opium, and the reason why, and then communicate this to our Government? It is all very well to say that the Chinese objection to opium and the reasons for it are notorious and undisputed. The fact is they are disputed every day. It is confidently alleged that now China no longer objects to the trade, except as it comes and carries silver out of the Empire, that all she wants is more revenue, and to protect the native trade.

In my humble opinion a despatch should be sent to our Government, stating in clear language, quite amicable, but also quite resolute, why China objects to the traffic, and how she wants it dealt with. This despatch should come to our Government

Government here - the British minister in Peking, should not be made the means of communication - though he should be duly informed of the fact. Whether it should come by Special Embassy or - through the Marquis Tsêng, is for the Chinese Government to decide. I don't think it would make much difference. But a private copy should be confidentially sent to me, that I may get our friends in the House to ask for its publication. If not a full copy, an outline would answer the purpose.

If China will do this, I venture to say that the influence we have now - gained here will secure that no - unreasonable delay or opposition shall be made by the British Government. We cannot at present make the British Government stop the trade. We can - prevent Britain from impeding the - action of China against it. China - can now take her own course, if she has the courage to do so.

J.

I assume that the proposition of the Chinese Government would be just and reasonable. It might take the form which Malaou Tai proposed in Simla, it might be for a gradually increasing and finally prohibitive duty, it might be that the foreign import and native production of Opium should be prohibited pari passu. But whatever it is, it should be definitely stated.

(Signed) Storrs Turner, Secy.

Telegram - Cipher

Legation of the United States
Tien-Tsin, Sept. 13. 1883

Secretary of State
Washington

Treaty reported France
Annam destroys autonomy
latter. Chinese Foreign office
declare will strenuously
resist reinforcement

Young.

Col Morgan

No. 255. One Enclosure.

DEPARTMENT OF STATE
NOV 16 1883
RECEIVED

Legation of the United States.

Peking, September 16th, 1883.

John Russell Young to the Secretary of State.

Subject.

Duplicate of salary account.

Synopsis.

Refers to despatch number 250. and forwards a duplicate of this account for quarter ended June 30th, 1883.

JRY

No. 255. One Enclosure.

Legation of the United States.

Peking September 16th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

Referring to my despatch number 250. of the 4th instant I have the honor to forward herewith a duplicate statement 1/255 of my account for salary for the quarter ended June 30th, 1883.

I have the honor to be,

Sir,

Your obedient servant.

Jno. Emerson Young

Enclosure.

Enclosure.

1. Duplicate statement salary account to June 30th, 1883.

Col Morgan

No. 256. One Enclosure.

Legation of the United States.

Peking, September 28th, 1883.

DEPARTMENT OF STATE
DEC 1 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Account of cost of telegrams.

Synopsis.

Forwards Statement of this account for July—September. Have drawn upon Department for amount due.

TM

No. 256. One Enclosure

Legation of the United States.

Peking, September 28th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to enclose herewith a statement of account for certain telegrams sent during the current quarter. 1/256.

I have drawn this day upon you in usual course and beg that my draft may be honored.

I have the honor to be,

Sir,

Your obedient servant.

J. R. Russell Young.

Enclosure.

Enclosure.

1. Statement of account for telegrams, July — September, 1883.

Letter no. 5 with Inclosure Dec. 6, 83 Carter

China

No. 257. One Enclosure.

Legation of the United States.

Peking, September 28th, 1883.

DEPARTMENT OF STATE DEC 1 1883 RECEIVED

John Russell Young to the Secretary of State.

Subject.

Rank, pay and allowances of Chinese Diplomatic Officers.

Synopsis.

In response to Department circular instruction of July 25th, forwards statement furnished by the Chinese Foreign Office.

7

No. 257. One Enclosure.

Legation of the United States.

Peking, September 28th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

In reference to a circular instruction of the Department bearing date July 25th, and instructing me to obtain certain information in regard to the rank, compensation, allowances, and aid given to diplomatic officers in the service of China, I have now the honor to enclose 1/257. a translation of a tabulated statement

statement kindly furnished me by the Foreign Office. The amounts given are originally in taels, and, while their reduction to our money may not be exact, it is sufficiently accurate for practical purposes.

The Ministers assure me that there are no secret or other allowances not enumerated in their statement.

The Diplomatic Service of China is, as you are aware a modern innovation, having been initiated in 1875. by the appointment

of

of a Chinese Minister to London.

I have the honor to be,

Sir,

Your obedient servant.

Thos. Francis Wade

Enclosures.

1. Translation of statement by Chinese Foreign Office.

Despatch No. 257.
Inclosure.

Statement of rank, salary, allowances, &c. &c. of Members of the Chinese Diplomatic Service.

Mission to Great Britain and France.

Rank.	Pay per annum in U. S. gold.	
Envoy Extraordinary and Minister Plenipotentiary	22,226	40
Secretary of Legation in England.	6,350	40
Second Secretary of Legation in England	4,762	80
Interpreter in England.	4,762	80
Interpreter in England.	4,762	80
Assistant Interpreter in England.	3,075	20
Second Apistant Interpreter in England	2,381	40
Secretary of Legation in France.	6,350	40
Second Secretary of Legation in France.	4,762	80
Apist. Interpreter in France.	3,075	20
Allowances for rent, furniture, entertainment, foreign servants, postage and telegrams, travelling items Expenses, outfit on appointment and on retirement from Mission, amounting to something more each year		

year than:	26,450
Mission to Russia.	
Envoy Extraordinary and Minister Plenipotentiary	22,226 4
Secretary of Legation:	6,350 4
Secretary of Legation	6,350 4
Interpreter.	4,762 8
Assistant Interpreter.	3,075 2
Allowances same as to Mission to Great Britain and France, amounting each year to something more than:	10,584
Mission to the United States.	
Envoy Extraordinary and Minister Plenipotentiary (accredited also to Spain and Peru)	15,876
Secretary of Legation in the United States	6,350
Second Secretary of Legation in the United States	4,762
Assistant Interpreter in United States.	3,075

0	Adjunt Apistant Interpreter		
	in United States.	3075	20
	Second Secretary of Legation in Madrid	4,762	80
	Apistant Interpreter in Madrid.	3,075	20
6 40	Adjunt Assist. Interpreter in Madrid	3,075	20.
40	Allowances for Mission to United		
40	States and Spain same as specified		
80	above amounting each year to		
20	something more than.	$26,450	00
	Mission to Germany.		
	Envoy Extraordinary and Minister		
	Plenipotentiary (accredited also to		
	Italy, Austria and Holland)	15,876	00
	Second Secretary of Legation.	4762	80
	Apistant Interpreter.	4762	80
	Do Do.	4762	80
	Do Do.	4762	80
	Second Apistant Interpreter.	2,381	40
	Do Do. Do.	2,381	40
	Allowances same as specified		
	in other Missions amounting each		
	year to something more than	$13,230	00
	Mission to Japan.		
	Envoy		

Envoy Extraordinary and Minister Plenipotentiary,	15,876
(No Secretary of Legation)	
Second assistant Interpreter.	2,381
Allowances same as specified above amounting each year to something more than.	$ 7,938
Expenses connected with appointments not yet gazetted or with additions to or transfers in the service are not included in the foregoing statement.	

file

No. 258.

Legation of the United States.

Peking, September 28th, 1883.

John Russell Young to the Secretary of State.

Subject:

Receipt of instructions.

Synopsis.

Department instructions numbers 154. 155. 156. and 157. have been received.

No. 258.

Legation of the United States.

Peking, September 28th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

I have had the honor to receive the following instructions from the Department:—

number 154. dated July 31st;

number 155 dated August 4th,

number 156. dated August 8th,

number 157. dated August 10th.

I have the honor to be

Sir,

Your obedient servant.

[illegible]

No. 259.

Legation of the United States.

Peking, September 28th, 1883.

John Russell Young to the Secretary of State.

Subject.

Difficulty between France and China.

Synopsis.

Department instruction number 155. upon this subject has been read with deep interest.

No. 259.

Legation of the United States.

Peking September 28th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

I have had the honor to receive your instruction number 155. of August 14th relative to the pending difficulty between China and France. The enclosures connected therewith have been read with deep interest.

I have the honor to be,

Sir,

Your obedient servant.

[signature]

No. 260.

Legation of the United States.
Peking, September 29th, 1883.

DEPARTMENT OF STATE
DEC 11 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Establishment of a Consulate at Kiaochau.

Synopsis.

Instruction number 156 has been received. Inquiries will be set on foot, and the result reported to the Department.

No. 260.

Legation of the United States.

Peking, September 29th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

I have the honor to acknowledge receipt of your instruction number 156., dated August 8th, in reference to the establishment of a consulate at Macao.

I shall act on foot the inquiries therein suggested and report what success I may have to the Department.

I

I have the honor to be,

Sir,

Your obedient servant.

Th. Russell Gurney

No. 261. One Enclosure.

Legation of the United States.

Peking, September 29th, 1883.

DEPARTMENT OF STATE
DEC 11 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Death of Japanese Minister of Foreign Affairs.

Synopsis.

Reports the death of H. E. Iwakura Tomomi. Comments upon his ability, personal character, and influence for good in the Japanese Councils of State.

No. 261. One Enclosure.

Legation of the United States.

Peking, 29th September, 1883.

To the,

Honourable Fred.k T. Frelinghuysen.

Secretary of State.

Sir,

I enclose for your information a letter from the family of the late Japanese Statesman, Iwakura, announcing his death. While, of course, this unhappy news has found its way to the Department, there are one or two circumstances which may justify this reference to it. 1/261.

Mor-

Mr. Iwakura was one of the best friends of progress in Japan, and especially of progress as exemplified by American ideas and institutions. He was also the most conservative influence in the Japanese councils in all questions concerning China and Japan. I have had occasion to say, to the Chinese statesmen, when the strained relations between the two nations were passing under review, and there were apprehensions of war, that Mr. Iwakura's presence in the cabinet was an assurance of peace. When I said this, I spoke

spoke with a remembrance of the many long conversations, with which the deceased statesman honoured me while I was in Japan. He was opposed to the war party. He looked upon it as a rash and unreasonable expression of renewed national vigour. He believed that Japan should concentrate her resources, solidify her institutions, and feel sure that she could tread with safety, the new paths she had taken with so much courage and audacity, before she ventured upon uncertain experiments in international controversy. And as he had a supreme position

in

in the Imperial confidence, his authority was unbounded. So far as China was concerned. Mr. Iwakura, recognized the fact, that China and Japan were neighbours, that their commercial interests were indissoluble, that they came from the same race, had common ties of religion, literature, tradition and history, were in fact members of the same family. He never ceased to look forward to a close union between the two powers. In our last conversation, as we were walking in the gardens of his Tokio home, he said that there was no office which the

American

American minister in Peking, - could render, that would be so - grateful to Japan, as to impress upon the Chinese Cabinet the - wisdom of such union in the interest of the peace of Asia, and the independence of both nations.

To me, personally, the - death of this eminent man, is a great regret. I have memories of many courtesies which are grateful. Beyond that my re- respect for his character, his - patriotism, and his ability, - makes me regard his death as an irreparable loss to Japan, and a loss which China

should

should view with sorrow.

I have the honour to be,

Sir,

Your obedient servant.

Enclosure.—

1. Mr. Tomotsune Iwakura to Mr. Young.—

Tokio, July, 2nd, 1883.—

Despatch No. 261.

Enclosure.

H. I. Iwakura to H. Young.

Tokio, July. 2nd, 1883.

Dear Sir,

It becomes my painful duty to announce to you the death, on the 20th instant of my father. Iwakura Tomomi.

The personal friendship and high regard and esteem which my father always entertained for you, - renders it proper for me to convey to you directly an announcement of this sad bereavement which has overtaken our house.

I remain &c. -

(Signed) Tomotsune Iwakura.

Young a copy of
last to Secretary
respect to

sent of No 154
Dec 19. 83. To the Secretary
Jany 9. 1884
Carter

Ming

No. 262.

Copy

Legation of the United States.

Peking, October 3rd U., 1883.

John Russell Young to
the Secretary of State.

Subject.

Premises of the Consulate General.

Synopsis.

In response to Department instruction number 154. Gives reasons for writing dispatch number 210., and explains the tenure under which, as stated by Shanghai residents, the land in question is held.

No. 262.

Legation of the United States.
Peking, October, 3rd, 1883.

To the,
Honourable Fred.k T. Frelinghuysen
Secretary of State.

Sir,

I have the honour to acknowledge your despatch No. 154, with the enclosure from Mr. Davis, which has been carefully considered.

Your allusion to the differences between Mr. Denny and Mr. Seward, and the failure of the Department to secure a reconciliation between

those

those two gentlemen will be my excuse for a personal observation. My acquaintance with Mr. Seward is of the slightest character. I met him some years ago in Tientsin. I only know him as the inheritor of an illustrious name, and as is shewn in the records of the Legation, an energetic and industrious minister. I have no sentiment but one of kindness towards him. As to the "charges" and "counter-charges" made by Mr. Denny and Mr. Seward, I have never even read them and know only of their nature by rumor. I should feel the deepest regret if in any way I should cast an unfair imputation upon Mr. Seward.

P.T.

It was with this feeling that I wrote my despatch No. 210.- The circumstances left me no other duty but to present the case to the Department, as it came from the Consul General. The case was as follows:-

I. The premises occupied by the consulate general, were (according to certain official Chinese documents, then in the possession of Mr. Denny) built on ground, which had been ceded to the American Government for consular purposes. By some means the ground had been diverted from that end, and given to a British subject. If this statement were true, and the

the documents expressed the true history of the concession, the only conclusion was that the Consulate-general buildings rested under a clouded title, and the Chinese might at any time reclaim them.

II. Mr. Denny further reported that the premises were subject to an exorbitant rent, that as property ranged in Shanghai, the government was paying too much money. This report was confirmed by the sworn statements of one or two witnesses, said to be experts in the knowledge of property values. These reports I presume have been sent to the

the Department.

III. It was further reported that the Consul General knew of capitalists, who would be willing, as a mere investment to erect buildings as good as those now under our flag, if not better, and rent them to the government at a lower rent, thus saving money to the treasury.

In addition to this, although the statements were verbal, and not put into the record. Mr. Denny advanced special objections to the present site. It was not salubrious. It was on made ground. The proximity of the river generated malaria

malaria. It had affected the health of himself and family. The Japanese steamship company had built a wharf within a stone's throw of his doors and during the process of loading and unloading cargo, which often continued through the night his domestic peace was undisturbed.

Upon these statements I saw no reason for disapproving of the recommendation of the Consul-General, that he should be permitted to select other quarters.

The only point upon which I have felt any anxiety has been the one in reference to the ownership of the land. I take it for granted

granted that the Chinese documents,
to which Mr. Denny referred are
now in the possession of the
Department, and you can judge
of their value. But I have not
that implicit faith in the integrity
or explicitness of Chinese documents
especially when there is any question
with a foreigner, which further
experience in China may vouchsafe
to me. I accordingly have made
enquiries from residents in
Shanghai, who know the history
of the settlement, and have obtained
from them a statement which in
justice to Mr. Seward and the
British gentleman who receives
rent as the owner of the land
should

should appear.

It seems, that Mr. Reed, the owner had possession of certain land which ran down to the river's bank. In time there was a radical change in the course of the stream, which left a foreshore of some extent. This foreshore Mr. Reed filled in, and it is now the site of the Consulate-general. It is claimed under Chinese law, that having owned land to the river, any advantage that came to Mr. Reed from the recession of the bank should be to his gain, just as it would have been his loss had the river taken another course, and carried away a part of his land.

J

If this statement is correct, and Mr. Reed under the law has a proper conception of his rights, then the demand of the Chinese government, falls. If the Chinese should press their claim, the result will be an action before the English court, when the question will be settled. I should not be sorry for many reasons to have the judgment of that tribunal. The ownership of the land would no longer be a matter of discomfort or controversy in the minds of the Chinese.

I can think of no further observation that will serve the Department. I have presented the case as it came to me officially and

and unofficially from the Consul General. It is for the Department to determine how much importance is to be given to the arguments of that officer as to the wisdom of a change in the consular site. I note specially your commendations of Mr. Seward's public spirit, when as Consul-General he induced private enterprise to erect buildings for the consular service that did credit to the government. I have always regarded that as a meritorious work, and when I first saw the premises in 1879 they were pointed out to me as an achievement to the credit of Mr. Seward. I should hesitate to

make

make any recommendation which would impose any hardship upon my predecessor for having rendered so good an office.

Nor with this impression clearly in mind, would I have made the recommendation in my despatch No. 210, dated June, 12th, but that I could not resist the arguments of the Consul-General as arguments in favour of a policy that might be to the advantage of the Government and the Service.

I have the honour to be,

Sir,

Your obedient servant.

Geo. Russell Gomp

Col Morgan

1 Enc Enclosure.

Legation of the United States.
Peking, October 4th, 1883.

Chester Holcombe to
the Secretary of State.

Subject.
Salary account.

Synopsis.
Forwards Statement of salary account for quarter ended September 30th, 1883.

M

No. 1 One Enclosure.

Legation of the United States.

Peking October 4th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to forward herewith a statement of my account for salary for the quarter ended September 30th, 1883. No. 1

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Salary account for quarter ended September 30th, 1883.

Col Morgan

No. 263. One Enclosure.

Legation of the United States.

Peking, October 4th, 1883.

DEPARTMENT OF STATE
DEC 1 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject

Salary account.

Synopsis.

Forwards statement of salary account for quarter ended September 30th, 1883.

N.

No. 263. One Enclosure.

Legation of the United States.

Peking, October 4th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have the honor to inclose herewith a statement of my account for salary for the quarter ended September 30th, 1883. 1/263.

I have the honor to be,

Sir,

Your obedient servant.

Jno. Russell Young.

Enclosure.

Enclosure.

1. Salary account for quarter ended September 30th, 1883.

Col Morgan

No. 264. One Enclosure.

Legation of the United States.

Peking, October 4th, 1883.

DEPARTMENT OF STATE
DEC 1 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Forwards statement of rent account for quarter ended September 30th, 1883.

No. 264. One Enclosure.

Legation of the United States.

Peking October 4th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir—

I have the honor to transmit herewith a statement of the rent account of this Legation for the quarter ended September 30th, 1883. 1/264.

I have the honor to be,

Sir,

Your obedient servant

Jas. Russell Young.

Enclosure.

Enclosure.

1. Rent account for quarter ended September 30th, 1883.

Col Morgan

No. 265. One Enclosure.

DEPARTMENT OF STATE
DEC 1 1883
RECEIVED

Legation of the United States.
Peking, October 5th, 1883.

John Russell Young to
the Secretary of State.

Subject.

Account for telegrams.

Synopsis.

Refers to dispatch number 256, and encloses a duplicate statement.

Tm

No. 265. One Enclosure.

Legation of the United States.

Peking, October 5th, 1883.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:—

Recurring to my despatch, number 256. of the 28th ultimo, I have the honor to enclose a duplicate statement of my account for telegrams. 1/265.

I have the honor to be,

Sir,

Your obedient servant.

John Russell Young

Enclosure.

Enclosure.

1. Duplicate statement of telegraph account, July, September, 1883.

Memorandum -

Dispatch No. 266 is dated Dec. 26, 1883. and will be found in Vol. 67 immediately following dispatch No. 308 of December 24, 1883.

Rec'd Jany 18, 1884
Mailed from Legation
Legation instructions to
H.R. Circular
H. Ex. Doc. Vol. 1 Jany 18, 84
Editor

Confidential. Wing

No. 267. One Enclosure.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

Legation of the United States.
Peking, October 8th, 1883.

John Russell Young to
the Secretary of State.

Subject.

Policy which may best be
pursued towards China.

Synopsis.

Incloses copy of letter received
from Mr. Pethick giving an
inside view of present situation.
Refers to current questions and
concludes that a line of
conciliation and forbearance
will

will in the end be productive
of best results.

No 264. One Enclosure.

Confidential.

Legation of the United States.
Peking, 8th October, 1883.

To the
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir,

I enclose for your information 1/264.
a private letter from Wm. H. Pethick
an American merchant resident
in Tientsin, who has special
facilities for knowing the temper-
of the Chinese officials surround-
ing the Viceroy Li. His statements
are

are worthy of consideration as throwing an inside light upon affairs. His conclusions, in many points I would accept with reserve.

One of these points in which the Legation has a deep interest, is that concerning the claim of Mr. Hill. I read with much care your despatch on that subject No. 133 June, 12th. I note also your instructions as to still further pressing the claim. In due time the Department will know what success attends my further efforts in that direction.

The government has been so much absorbed, I might say

so

so much distressed on account of complications with France, that it did not seem wise to reopen negotiations until their anxieties had in some measure abated. Nor do I look with much enthusiasm upon my hopes of success. I am bound to accept the fact which grows every day more apparent, that the temper of the Chinese in regard to foreigners is not friendly. Towards the French there are antipathies arising out of Annam affairs. The result of that business is a deep humiliation to China. In this sentiment of aversion to foreigners we all I am sorry to

say

say, more or less share.

So far as American interests are concerned, my own mission has from the outset been handi-capped by various circumstances. The legislation against Chinese immigration, rankles in the minds of leading ~~statesmen~~, especially of Li. - The failure to return the ~~Canton~~ Indemnity at the time we returned the Simonoseki Fund made a deep and unfortunate impression. - Knowing the wishes of the President and the Department as expressed me officially and personally, your good will towards China and the value you attached towards harmonious -

harmonious relations with her people. I have laboured steadily to that end. I welcomed with great satisfaction your action in response to Li's request for mediation, seeing in it a friendly office which would go far towards strengthening our influence here. To some extent this hope has been realized, but not in practical results as fully as I could have wished.

Sometimes feel disheartened in my attempts to serve a government whose statesmen have the Oriental faculty of ingratitude or forgetfulness of favours received.

I

I can readily see how in such a mood the Legation might be disposed to accept the advice of so experienced an observer as Mr. Pethick and urge upon the government a strenuous policy such as distinguished Sir Harry Parkes in Japan, and Mr. von Brandt in China. There are many reasons for this course, but there is ever-present on the other side, the one reason that we should not do here what we would not permit other powers to attempt in Washington.

It is probable that if we adopted a policy like that

of

of France after the Tientsin massacre or England after the murder of Mr. Margary, we could force China to settle all of our claims, and exact a justice which has long been denied and which no persuasion or entreaty can obtain. Mr. Pethick sees this opportunity in the Canton outbreak, and as the advice he gives may occur to you; or be suggested as a criticism upon the action of the Legation, I venture these considerations upon it.

The Canton outbreak was unfortunate. But as I explained in my despatch No. 244 giving

an

an account of the affair, the mind of the people had been deeply moved by the death of an unoffending Chinaman at the hands of a tipsy Englishman. That the offence was a grave one is seen in the fact, the news of which, comes by telegraph this morning that the English Court found the author of the crime guilty and sentenced him to seven years imprisonment. There was in a few days another homicide, probably an accident, but as it involved a Chinaman's life, added new incentives to ill-feeling. The outbreak came as such things generally do, like a spark falling into stubble and flashing into fire.

The

The authorities could not anticipate it. They sent large bodies of soldiers to suppress it. No lives were lost. I do not learn that any foreigners were wounded. Foreign men of war, whose commanders knew of the disturbed feeling in the Canton community were in drifting about in the cool Northern seas. For us, therefore, to take the occasion of an outbreak which did not go beyond the loss of property, for which the government was in no way responsible, and which might have been prevented if even one of the many men-of-war in the Asiatic seas, had been as it should have been in Canton

waters

waters, - to make a claim for indemnity or for Exemplary damages would in the opinion of the Legation be a grave injustice. This seemed to be the opinion of the English minister Sir Harry Parkes, and Admiral Enomotto, the Japanese minister, the only two of my colleagues with whom I have discussed the subject.

This is not the opinion of foreign residents who feel as Mr. Pethick does that the Legations will be wanting in energy, if they do not use their present opportunity, when they have a real wrong to redress with China, to act as

as before, on similar occasions not only reparation, but — exemplary damages, and the settlement of all outstanding questions. The lethargy, the apathy, the tergiversation of the government shown in so many instances during the last year form a strong — temptation, to venture upon the most strenuous measures. While it would be a satisfaction to have our differences adjusted, and I see the force of the public opinion here, to which Mr. Pethick gives voice in his letter, the — Legation cannot resist the — conclusion that in the end —

higher

higher interests will be served - by a policy of patient justice - and equity, and that nothing we could gain in immediate, - material advantage would recompense the injury to our - national fame that would attend a contrary course.

I have the honour to be,

Sir,

Your obedient servant.

Thos. Lumsden Young

Enclosure

1. Mr. Pethick to Mr. Young.

Confidential. September 18th, 1883.

Despatch 267.

Confidential. Enclosure 1.

Mr Pethick to Mr Young.

Tientsin, Sept. 18th, 1883.

Dear Mr Young.

I sometimes see the telegrams which pass through Li's yamên and some of those to and from Canton - lately have been interesting. The - new Viceroy there Chang, whom you met here - is hardly installed in his new office before he is placed in danger of being removed from it by this serious trouble, for whether he is responsible or not he will have to answer for it.

His first telegram is a long one (260 words) to the Tsungli Yamên through Li. It states that last - month an Englishman shot dead one and wounded two Chinese at Canton. He was arrested by his Consul, who refused to punish him - though repeatedly urged by the - Chinese

Chinese officials, and this caused much excitement among the people. Yesterday (the day of the riot) a foreigner on the English Steamer "Nankow" then lying at the wharf at the foreign settlement, had a quarrel with a native named Do, kicked him, and pushed him into the river where he was drowned. The steamer then left, giving no attention to the matter. This being the second time within a month that foreigners had killed Chinese, the people of the neighborhood were roused to resentment, and having assembled a large mob they attacked the foreign settlement, burned 14 houses - English, American, and French, and drove the foreigners away, but did not injure anyone. The Viceroy on hearing of it at once ordered troops to the scene for the protection of life and property. 20 soldiers were wounded in this duty, but finally the

the mob was dispersed. He gave orders for the arrest and punishment of the leaders and wrote all the Consuls to that effect. He cannot tell yet what steps the foreigners will take, but will keep Li posted by telegraph.

Li replied to this the same day saying that he had heard of the disturbance from Shanghai and had reported at once to the Yamen. The chief rioters should be arrested, that is the first step to pacify foreigners. Troops will be held here in readiness to reinforce you if necessary. Look well to the defence of the forts lest they be attacked. Keep us well advised.

Chang then inquires what he shall do when foreign gunboats arrive at Canton.

He was instructed to keep a large force in and near the Settlement to shew foreigners that there was no need of their doing anything and to prevent their landing.

Chang

Chang then reports the arrival of the foreign gunboats and says that they did not molest the forts, which were kept in readiness.

He was instructed to treat the foreigners civilly but prevent their landing if possible, and keep a close watch over the French especially.

The last telegram I saw orders Chang to make a full investigation and report. In the meantime to keep his troops well in hand and gather all the reinforcements he can to guard against the French making a dash at Canton.

Li and the Yamên were in a great funk over this affair and are not over it yet, but they are settling down to the belief that they will get out of it by paying a moderate sum and they will be glad when it is well over for they have their hands full already with the French.

I

I notice a growing hostility towards the French in official circles and a strong disposition to fight them. Come what will. Li is losing the confidence of his countrymen because he will not fight and Tso's strong war sentiments are praised on every side. Li is said to be "half a foreigner" and one who will never fight again. Such opinions are whispered about very generally and are considered as a show of public spirit or patriotism. It is well known now that Tso openly abuses Li as a "coward" and "creature of foreigners" who only yields to them and disgraces his country instead of opposing. With such conflicting views and policies on the part of the two most prominent men of China, serious trouble is sure to result sooner or later. Tso's policy is the more popular with officials and literati because it meets their views about

foreigners

foreigners and gratifies their pride in China's supposed strength and ability to cope with any foreign power - or all put together.

As considerable American property was destroyed at Canton I suppose this will lead to the second Canton Indemnity while yet the first is being discussed. Doubtless these events will lessen the chances of China getting back any of that first fund, at least for a long time to come. Some measure of respect and sympathy is needed to prompt such a graceful act, but as far as I can see China is becoming less and less deserving of sympathy. Her public affairs at Peking, here, and elsewhere are governed by a temporizing, makeshift policy, without wisdom, thoroughness or foresight. She country blunders into difficulties, blunders out of them again, and then settles down into

into the old lethargy and indifference until the next trouble crops up. Everybody refuses to take responsibility, the different Viceroys with their opposing views and systems really keep the country in a state of dismemberment; and instead of resembling a healthy body with all its members closely joined and acting under one impulse, China and her provinces remind one more of the skeletons in museums with their parts loosely held together by wires.

I should think that now is the favourable opportunity for settling up all old claims in connection with those to be made for this present outrage at Canton. Wade made the murder of the interpreter in Margary the pretext and occasion for settling all old claims and insisting upon all the new measures set forth in the Chefoo Convention.

That

That convention and its results were brought about solely by the death of Margary, which event made cleverly made a convenient hook on which to hang all sorts of questions — the settlement of all unpaid claims disputed by the Yamên for years previous; the purchase of the Woosung railway; Likin taxes; new ports; opium; official intercourse at Peking, and all sorts of accumulated grievances which the Chinese would never listen to when they felt secure, and which would not have been settled to this day had they not been put into a fright by their misdeeds. You yourself have seen that nothing short of dynamite can move the Tsungli Yamên from its stupidity and stubbornness on many questions. As to Hill's claim the Yamên, as long as it sails in fair weather, will go on for another

10 years with its shuffling and prevarication; and so it has occurred to me to suggest - though perhaps you have already thought of it - that the present occasion is one of those rare opportunities when the Chinese will settle all questions of a kind if presented in a lump. Li and the Yamên saw no difficulty about paying Hill's claim if connected with a separate matter - the indemnity: and it is doing no violence to their present views of such transactions and their previous practice (notably the Margary affair and Chefoo Convention) to be called upon to pay claims which have long been barred for, when some special day of reckoning comes as it has now. As Li will positively do nothing more about Hill's claim there is nowhere to look but to that Yamên which only strong explosives, or such a fright as they are having now, will move.

If

If this occasion, while the Chinese feel guilty as offenders and stand ready to make reparation, be availed of to press Hill's claim for settlement at the same time and as one of the conditions of a satisfactory adjustment of the present difficulty, it will almost certainly be paid. The Yamên will now have a source to furnish the funds for Hill's claim, for they would buy the amount on the Canton Viceroy as an Extra fine, which to the Chinese mind would be quite in order. Or they would pay it with the rest of the money from the Customs revenue.

I hope you will take all this in good part. I have felt it to be but right to keep you posted about affairs here in which you may be interested, and to submit anything that past experience and current Events may suggest as affording possible help to you in Peking.

Very truly Yours
(Signed) W. N. Pethick.

Confidential.

No. 268. Five Enclosures.

Legation of the United States.

Peking October 8th, 1883.

John Russell Young to the Secretary of State.

Subject.

China, France, and Annam.

Synopsis.

Forwards text of new treaty between France and Annam, a precis of conversation with Foreign Office upon it, and sundry other papers. Comments upon policy of France in this question.

No. 268. Five Enclosures.

Confidential.

Legation of the United States.
Peking, 8th October, 1883.

To the
Honourable Fred.k T. Frelinghuysen
Secretary of State.

Sir,

I enclose for your information the memorandum of a conversation with the Foreign Office in reference to the published treaty between Annam and France. 1/268

I send also a printed version of this convention which I have reason 2/268

to

to believe is correct.

The Department will see that the French Government — from the beginning has had only one purpose in view, namely to force her authority upon these — provinces by arms, or by — intimidation. It has been a — policy of aggression, having no regard either for the rights or the susceptibilities of the Chinese. The statement of the French Foreign Secretary as reported in your — despatch No. 155 Augst 14th to the effect that — France did not know upon what — points China asked our mediation, that he did not know any causes of difference between China and

France

France is disingenuous, and either shews an incredible want of knowledge on the part of that Statesman, or a want of candour in dealing with you. The points which China was willing to submit to the mediation of any friendly government, and more especially that of the United States, are known to all the world, as involved in the question of suzerainty. The fact that China was willing to submit a question affecting an imperial prerogative to the judgment of a foreign power, was a step in the direction of international comity. It was the acceptance by China of one of

the

the most important principles of modern civilization, and in the opinion of the Legation was a marked indication of progress.

The Department will note, in confirmation of my cypher telegram, that the Chinese Cabinet firmly declare that they will never assent to the treaty. In a conversation with Li-Hung-Chang - the Viceroy confirmed this declaration even in stronger terms. There is a rumour to the effect that the British Government are willing to advise an arrangement between France and China defining a boundary line, and that France

is

is willing to enter into such an arrangement. In other words - having ignored every pretension of China, having carried every point she claimed, she would - gladly assent to any arrangement that would leave her in undisturbed possession, and - terminate the danger which - will always menace her authority, the danger of the present or some future Emperour arising and enforcing his rights.

I enclose certain other documents, in reference to - affairs in the south. You will note that the ports of Annam are blockaded. This interdict - 3.4.5 / 268.

is

is understood to apply mainly to the Chinese. You will also note a copy of a despatch written by the Foreign Office in 1875., in which the Chinese ministers distinctly claim that Annam is a tributary state, and that Sovereigns of Annam have for ages received investure from the Emperour. This despatch embraces the gist of the controversy between China and France, and shews that the claims of China were not a recent discovery.

It is impossible to know how far the government will go in furtherance of the policy espoused by the ministers of the Yamên and

and the Viceroy Li. There is a strong war party, and Li is censured for not having declared war in June. That statesman evidently saw, that war with France under present circumstances was impossible. My impression is that the Chinese will await their time with patience. It is their nature to do so. But the war feeling, and the sentiment of distrust and uneasiness now pervading the empire, especially a sentiment of dislike to foreigners, are not to be viewed without concern. These are among the immediate results of the French expedition.

I

I have the honour to be,
Sir,
Your obedient Servant

Enclosures.

1. France and Annam. Precis.
September, 10th, 1883.
2. New Treaty - France and Annam.
25th August, 1883. -
3. French Minister to Prince Kung
and His Imperial Highness's response.
4. Prince Kung to French Chargè
de Affaires - June, 15th, 1875. -
5. Telegram China will strenuously -
resist Enforcement of treaty between
France and Annam.

Despatch No. 268.
Enclosure 1.

France and Annam.

Precis of conversation with Ministers of Foreign Office.

Present:- Their Excellencies
Chen Lan pin, Wu Tingfang
and four Secretaries.

Mr. Holcombe said that a telegram had been received from the Secretary of State saying that an interview had been arranged between the Marquis Tseng and the French Minister for Foreign Affairs for the 16th August, and asked if the Ministers had any information as to the results of that interview.

The Ministers replied that the interview resulted in nothing, that the French Minister laughed at

at the propositions of Marquis Tseng and said to him:-

"What does the American
"Secretary of State mean by
"sending you to me with
"such stuff as that"?-

Mr. Holcombe said that the French Government, in response to proffers of mediation made to it by the Government of the United States at the request of China, had expressed its satisfaction at the proposal but had declared its entire ignorance of the objections raised by China, or the points on which mediation was proposed and had asked the United States Minister in Paris for information on these points.

The Ministers replied that the French Government knew perfectly well what the objections raised by China to its course in Annam were, having been informed over and

over

over again both here in Peking and in Paris. The French Government was pretending ignorance and stupidity in order to gain time to carry out its own plans and to avoid the necessity of openly refusing to accept of the fair proposition of China to submit all questions involved to mediation or arbitration.

Mr. Holcombe stated that the Shanghai newspapers received the previous evening contained what purported to be a summary of a treaty concluded recently between the French and the Annamese at Hué, and asked if the Ministers had any information upon the subject.

The Ministers replied that it had had been sent to them by H. E. Li who had seen it in the newspapers mentioned. They presumed the information was

correct.

correct.

Mr. Holcombe asked if the Ministers were at liberty to state what the course of China would be regarding this treaty.

The Ministers replied that this treaty left Annam an existence only in name, that her position under it would be worse than that of India under Great Britain, since the British Government was more upright and just than the French. All the world knew that Annam was tributary to China, and that China had repeatedly aided and maintained the Government of Annam with its Military forces, had indeed kept bodies of troops in Annam for long periods of time.

The Chinese Government would never recognize the treaty and would never consent to its enforcement whatever the consequences might be. This statement was

repeated

repeated several times and with great earnestness.

The interview then terminated

(Signed) Chester Holcombe.

Perkin, September, 10th, 1883.

The New Treaty between France and Annam.

Despatch. 268
Enclosure. 2.

The undersigned, J. J. Harmand, Commissioner General, Plenipotentiary of the French Republic, Acting in the name of France, - Assisted by M. M. Palasne de Champeaux, Principal Administrator of Native affairs in Cochin China, & Chargé d'Affaires for France at Hué;

Ory, Chief of the Commissioner-General's Cabinet;

De la Bastide, Captain of Engineers, Aide-de-Camp to the Commissioner-General;

Masse, Administrator of Native affairs in Cochin China;

Nailee, Chinese interpreter to the French Government, Private Secretary to the Commissioner General;

Of

Of the other part:

Their Excellencies Trần Dinh Tuc, first Plenipotentiary (Hiệp Biện Đại Học Sĩ), Grand Censor;

Nguyen Trong Hiep, second Plenipotentiary (Lại Bộ Thượng-thơ), Minister of the Interior and of Foreign affairs of H.M. the King of Annam, acting in the name of the Annamite Government, assisted by Huinh Mun Thuong Eng (Biện Hoi Các), member of the Privy Council;

Have agreed as follows:—

I. Annam recognises and accepts the protectorate of France with the consequences which according to European international law attend this relationship, that is to say, France shall control the relations of all foreign powers, including China, with the Annamite Government, which may communicate with the said powers only through the intermediation of France.

II.

II. The province of Binh Thuan is annexed to the French possessions in lower Cochin China.

III. A French military force shall occupy, on a permanent footing, the Deo Ngang chain of mountains, which abuts on Cape Tung-Rinia, also the forts of Thuanan and those at the entrance of the Hué river, which shall be remounted at the expense of the French authorities. These forts are named, in the Annamite language, Nai-Duon, Tran-Hai, Thai Duong, Tran Dang, Nap Chân, Dan Thau, and Duy Noi.

IV. - The Annamite government shall immediately recall the troops sent to Tonquin, the garrisons of which country shall be placed on a peace footing.

V. - The Annamite Government shall issue an order to the mandarins of Tonquin to resume their posts, shall appoint new-

functionaries

functionaries to vacant posts, and shall eventually confirm according to mutual agreement, the nominations made by the French Authorities.

VI. – The provincial functionaries, from the northern frontier of Binh Thuan to that of Tonquin – by which last is understood the Deo-Ngang Chain, which shall be taken as the boundary – shall administer as in the past without any control on the part of France saving in that which concerns the Customs and public works, and in general all which requires unique directions and the assistance of European technical skill.

VII. – Within the above mentioned limits the Annamite Government shall declare open to the trade of all nations, in addition to the port of Quinhon, those of Tourane and Quang-Day. Hereafter shall be discussed whether it is to the

the advantage of the two states to open others, and the limits of the French concessions at the open ports shall also be fixed. France shall maintain agents at the ports under orders of the French Resident at Hué.

VIII. – France may erect a lighthouse either on Cape Varela, Cape Padaran, or at Pulo Cecir, according to the conclusions of a report to be made by French officers and Engineers.

IX. – The Government of N.M. the King of Annam engages to repair, at the common expense and according to agreement to be arrived at between the two high contracting parties, the highway from Nanoi to Saigon, and to maintain it in good condition, so that it shall be available for wheeled traffic. France shall supply Engineers for the execution of scientific works such as

as bridges and tunnels.

X. – A line of telegraph shall be established along the route and shall be worked by French Employés. A part of the receipts shall be handed to the Annamite Government, who, in return, shall give the land necessary for the Stations.

XI. – There shall be stationed at Hué a Resident, who shall be a functionary of high rank. He shall not mix himself up with the native affairs of the province of Hué, but shall be the representative of the French protectorate, under the control of the Commissioner-General delegated by the French Republic, who shall preside over the foreign relations of the Kingdom of Annam but may delegate his authority and powers in whole or in part to the Resident at Hué.

The French Resident at Hué shall have the right of private and

and personal audience with H. M. the King of Annam, who may not refuse to receive him without valid reason.

XII. – In Tonquin there shall be a Resident at Hanoi, one at Haipong, one in the maritime towns which may hereafter be established, and one in the chief town of each grand province. As soon as the need thereof shall make itself felt, the chief towns of the secondary provinces shall also receive French functionaries, who shall be placed under the authority of the Resident of the grand province to which they appertain, following the system of administrative divisions of the country.

XIII. – The Residents and sub-Residents shall be assisted by such aides and collaborators as may be necessary to them, and shall be protected by a French

French or native garrison sufficient to assure their complete security.

XIV.– The Residents shall abstain from interference with the interior administration of the provinces.– The native mandarins of every category shall continue to – govern and administer under their control, but may be – changed on the demand of the French authorities if they manifest a bad disposition towards them (the French).

XV.– It is by the intermediation of the Residents alone that French functionaries and employés of every category belonging to the general services, such as posts and telegraphs, customs, public works, French schools, &c., &c., can have official communication with the Annamite authorities.–

XVI.– The Residents shall administer

ister justice in all civil affairs, —
correctional or commercial, between
Europeans of every nationality and the
natives, and between the latter and
foreign Asiatics who wish to avail
of the advantages of French —
protection.

Appeals from the judgments of
the Residents shall be carried to
Saigon. —

XVII. — The Residents shall control
the police in urban populations
and their right of control over
native functionaries shall be —
extended according to the —
development of the said populations.

XVIII. — The Residents shall centralise,
with the concurrence of the Khambo,
the import service, of which they
shall supervise the collection and
employment. —

XIX. — The reorganized customs
shall be entirely confided to
French administrators. There
shall

shall be only maritime and frontier custom-houses, placed wherever they shall be needed. No claim shall be allowed relative to the customs arising out of the measures taken by the Military authorities in Tonquin.

XX. - French citizens or subjects shall enjoy, throughout the whole extent of Tonquin and in the open ports of Annam, entire liberty for their persons and property. In Tonquin and in the open ports of Annam they may freely move about, establish themselves, and possess property. The same shall apply to all foreigners who shall claim the benefit of French protection permanently or temporarily. -

XXI. - Persons who, for scientific or other motives, wish to travel in the interior of Annam need only obtain the authorisation, through

through the medium of the French Resident at Hué, of the Governor of Cochin China or of the Commissioner-General of the Republic in Tonquin. These authorities shall supply them with passports, which shall be presented for view to the Annimite Government.

XXII — France shall maintain, so long as this precaution shall to her appear necessary, military posts along the Red River, in order to ensure free communication therein. She shall also erect fortifications wherever she may deem it advisable.

XXIII. - France engages henceforth to guarantee the complete integrity of states of H. M. the King of Annam, to defend that sovereign from all aggressions from without and rebellions within, and to maintain his just claims against foreigners.

France charges herself alone with the duty of driving out of Tonquin the bands known under the name

of

of the Black Flags and to assure by her own means the safety and freedom of trade on the Red River.

N. M. the King of Annam shall continue, as in the past, to direct the interior administration of his states, saving the restrictions which result from the present convention.

XXIV. — France engages to supply N. M. the King of Annam with all the instructors, Engineers, savants, officers, &c. &c. of which he may need.

XXV. — France shall consider, in all places, at home and abroad, all Annamites as her protegés.

XXVI. — The actual debt due by Annam to France shall be considered as discharged by the cession of Binh Thuan.

XXVII. — Further conferences shall decide what amount shall belong to the Annamite Government of the Customs dues, telegraph receipts, &c., &c., in the Empire,

of

of the taxes and Customs of Tonquin, and of the monopolies or industrial enterprises which may be conceded in Tonquin.

The amount so taken from these receipts shall not be less than — F. 2,000,000 per annum.

The Mexican dollar and silver coinage of French Cochin-China shall be legal tender throughout the whole extent of the Kingdom concurrently with the Annamite national money.

The present convention shall be submitted for the approval of the President of the French Republic and of H. M. the King of Annam, and the ratifications shall be exchanged as soon as possible.

France and Annam shall — thereupon appoint their plenipotentiaries, who shall meet at Hué to examine and arrange all points of detail.

The plenipotentiaries — appointed

appointed by the President of the French Republic and H. M. the King of Annam shall conjointly decide on the commercial regime the most advantageous to the two States and in accordance with the regulation of the Customs on the basis indicated by article XIX. They shall also decide all questions relative to monopolies in Tonquin, concessions for mines, forests, salt flats, and general industries whatsoever.

Done at Hué, at the French Legation,

25th August, 1883 (23rd day of the 7th month Annamite).

Despatch No. 268.
Enclosure 3.

Copy of a despatch received from the French Minister.

The undersigned is in receipt of an instruction from his Government to the following effect:-

Information having been received from various points in China that vessels have sailed from the said points with arms and munitions of war for Annam; and commerce of this sort being in violation of the stipulations of Article II of the Convention of 1874. with Annam, it becomes necessary for this Government to interfere and suppress such traffic. Hereafter the ports of Pei Ch'i and Annam will be closed to commerce, and the coasts of the said countries will be rigidly blockaded, and merchants ships upon the high seas within the jurisdiction of the said countries if suspected will be liable to search. Notice to this

this effect must be promulgated to all vessels concerned. If, after such notice, any vessels attempt to run the blockade and enter the ports in question they will be liable to seizure and confiscation, etc., etc.

It becomes the duty of the undersigned to inform Y. I. H. of these orders, and to request Y. I. H. to notify the merchant craft of your nation that hereafter they will not be permitted to carry on traffic with the said countries in violation of this interdict.

Yamen's response.

copy.

Y. E.

I am in receipt of your communication of the 20th inst.; in which you inform me that you are in receipt of instructions from your government to the effect that, information having been

been received from various points in China that vessels had sailed from said points for Annam laden with arms and munitions of war, and it having become necessary to put an end to this sort of traffic; that hereafter the ports of Annam would be closed to commerce; the coasts of the said country effectually blockaded, and any suspicious craft in the waters adjacent to said country liable to search. After due notice shall have been given to all vessels concerned, if any shall attempt to run the blockade and enter the ports of Annam they will be liable to seizure and confiscation. And you request me to notify the mercantile marine of China that hereafter they will not be permitted to carry on commerce with Annam, &c. &c. &c.

In response I beg to observe that

that in 1875. I had a correspondence with Monsieur Rochechouart in regard to Annam, and its relations to France. This Office then stated that Annam was the neighbour of China, and that the conditions under which the subjects of China might or might not carry on intercourse with the subjects of this tributary state were not the same in all Provinces of the Empire, and that hence it would be necessary for this Office to secure reports from the several provinces, and give these reports careful consideration, before a definite line of action could be taken.

Being now in receipt of your communication as before noted, it will first be necessary that this Office should institute inquiries at the sea ports in the several provinces whether the merchant marine of China is or is not transporting arms and munitions of war to the

the ports of Annam, in the line of commerce.

When responses to these enquiries shall have been received and considered, and a line of conduct determined by this Government, I shall have the honour to address you further in the premises. -

Despatch No. 268.
Enclosure 4.

Copy of a despatch sent by the Chinese Foreign Office to the French Chargé d'Affaires -

June 15th, 1875.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication. -

Upon the 25th May last, I had the honour to receive your despatch announcing that your Government had concluded a treaty with Annam, a copy of which was enclosed and requesting the Chinese Cabinet to strictly command the Provincial Authorities of Yunnan to forbid Chinese Soldiery to cross the borders of Annam and to withdraw those already there in the interests of peace. -

Still another point, the Red River from the Capital of Annam

to

to the borders of Yunnan is to be thrown open to foreign commerce by the Government of Annam.

Nothing to this effect was elaborated in the French treaties of Hoeinfung, eighth and tenth years with China because this circumstance (French treaty with Annam C.A.) had not then transpired.

It having now been accomplished, it must at once be carried into effect. The Secretary of State instructs me to discuss two points with Y.I.H. First The suppression of disturbances created on the borders of Annam by Chinese soldiery. Second The establishment of a port on the Red River in the province of Yunnan where French vessels plying from the Capital of Annam may lie, etc., etc.

In reply I have the honor to

to observe that in December, 1873, a despatch was received from Minister Geoffroy covering a copy of a letter addressed by him to the Governor of Yunnan in which the protection and developement of commerce was spoken of. He was at once answered by me that Yunnan was not a locality open to foreign commerce, and that the Governor of Yunnan had been instructed to govern himself by the treaties, etc., etc.

As you again address me that your Government desires to establish a port on the Red River within the province of Yunnan, I must reply that Yunnan, not being a locality open to foreign trade neither the treaties with your Government or with any power contain a provision permitting the establishment of

a

a port for vessels within the limits of that province.

So far as Annam is concerned she is a neighbouring and a tributary state to China. The conditions under which the subjects of China may or may not carry on intercourse with the subjects of this tributary state have not been the same in all provinces of the Empire, and hence it will be necessary for this office to call upon the Governor of Yunnan for a report, and to give such report careful consideration before a definite line of action can be taken.

Still further, some time since, banditti having become as thick as bees in Annam, the Government of that country sent an Embassy to China asking for assistance. The

Kings

Kings of Annam having for ages received investiture from the Emperour of China, this Government could not be indifferent to this call, and despatched a military force to suppress the bandits. This being accomplished and peace restored the force will be of course recalled. In January, 1874 the French Minister was addressed to this effect. In April, 1874. the French Minister was further informed that the Governor of Yunnan had memorialized the Throne to the effect that as the province of Yunnan bordered on Annam, and as Huang Ch'ung ying and others, heads of the White Lily band had instarted an insurrection against the Government in Yunnan to a formidable extent, arrangements had been made for strengthening

the

the forces to the necessary extent along the borders of Annam, and he requested that French Consuls and other officers of France in Annam might be notified that the soldiery of Yunnan upon the borders whether engaged in exterminating Annamese banditti or in suppressing the insurrection in Yunnan were not in any way interfering with the French forces. And, having received an Imperial Decree to that effect, this Office gave the information as indicated above.

It thus is evident that the military force sent heretofore into Annam was sent at the request of the Government of that Country to suppress brigandage, and that Chinese troops upon the borders of Yunnan are stationed there to

prevent

prevent turbulent characters
from Annam from creating
disturbances in Yunnan. If
Chinese soldiery cross the border
into Annam and make trouble
the Viceroy and Governor of
Yunnan might of course to
put a stop to it, and an urgent
instruction to that effect has
been sent to them by this Office.

Despatch No. 268.
Enclosure 5.

Telegram.

September, 11th, 1883.

Secretary State

Washington.

Treaty reported France —
Annam destroys autonomy
latter. Chinese Foreign Office
declare will strenuously
resist enforcement.

Young.

Scoffle

Received near Jan 11 84

No. 269.

Legation of the United States.

Peking, October 15th, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Customs Medical reports.

Synopsis.

Forwards, under separate cover, three copies of these reports.

No. 269.

Legation of the United States.

Peking, October 15th, 1883.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:—

I have the honor to forward herewith, under separate cover, three copies of "Medical Reports for the half-year ended 31st March, 1883." as published by the Chinese Maritime Customs.

I have the honor to be,

Sir,

Your obedient servant.

[signature]

No. 270.

Legation of the United States.

Peking, October 23d, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

John Russell Young to
the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Department instructions numbers 158. 159. 160. 161. 162. 163. and 164. and circular of August 20th have been received.

No. 270.

Legation of the United States.
Peking October 23rd, 1883.

Honorable F. T. Frelinghuysen
Secretary of State.

Sir:—

I have had the honor to receive your instructions as follows:— number 158. of August 10th, number 159. of August 10th, number 160. of August 16th, number 161. of August 17th, number 162. of August 25th, number 163. of September 3rd, number 164. of September 7th, and your circular instruction of August 20th, announcing

the

the death of the
Honorable Jeremiah S.
Black.

I have the honor to be,
Sir,
Your obedient servant.

Mr. Young
No. 271. Five Enclosures
Legation of the United States.
Peking, October 24th, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

John Russell Young to
the Secretary of State.

Subject:
Wharfage dues and the American Concession at Tientsin.

Synopsis.
Refers to previous correspondence between Mr. Holcombe and the Department. Complaint of Mr. Consul Zach that the agreement made in April 1882. is not being carried out in good faith. Covers copies of

of correspondence with him and states Mr. Young's conclusions.

No. 241. Five Enclosures.

Legation of the United States.

Peking, October, 24th 1883.

To the

Honourable Fred.k T. Frelinghuysen.

Secretary of State.

Sir,

The Department is familiar with the history of the small tract of land on the Peiho river adjoining the Chinese city of Tientsin, and known as the "American Concession". There are three "Concessions" - the "English", "French" and "American". - The English and French have been held as actual property purchased

from

from the Chinese, and are now governed under the orders of the two legations. The American was held in a kind of tentative way, the Consul exercising a nominal jurisdiction, until October, 12th, 1880, when Mr. Consul Mangum transferred it to the Taotai. In his letter surrendering control, which forms an enclosure to this despatch, Mr. Mangum, notes "the understanding, "that if at some future time, it shall "become desirable to establish suitable "municipal regulations, therein it "shall be competent for the Consular "authorities to do so."

1/241

Since that time the American Concession has been in the

the hands of the Chinese, and on visiting it, during a recent stay in Tientsin, I found it virtually a Chinese town with all the squalor and discomfort belonging to Chinese forms of town life.

The Department will remember as explained fully by Mr. Holcombe in despatches Nos. 76 and 90 to your predecessor Mr. Blaine, that a certain arrangement was made by which a tax 1/10th of 1% ad valorem was to be levied upon all imports to and exports from Tientsin in foreign bottoms. The fund thus raised was to be expended during the year from April, 1st, 1882, to March, 31st, 1883, as follows;

two

two thirds to be employed in construction of a bund along the water frontage of the French Concession - and for a macadamized road - from the foreign settlement to the Viceroy's Yamên. The remaining 1/3rd was to be divided between the British and French Concessions for municipal purposes 6/10ths being devoted to the former and 4/10ths - to the latter.

It was further agreed by the Diplomatic Body here that subsequent to April, 1st, 1883, the sum thus collected should be exclusively applied to the construction - and maintenance of certain - Chinese roads and of Bunds

along

along the shores of the French, British and American Concessions.

This arrangement was approved by you in your instructions numbers 18 and 19 of July 5th and 7th, 1882.

Mr. Consul Yuck, in a despatch forming an enclosure No. 2. called the attention of the Legation to the fact that this understanding had not been observed, and he declined to approve the agreement for the distribution of the Wharfage dues.

2
241.

I gave the question a good deal of attention, in doing so governing myself by the instructions so fully laid down in your

your despatch No. 18. I addressed an elaborate despatch to Mr. Zuck, which is enclosed.

Although the views therein expressed hardly commend themselves to the judgment of Mr. Zuck, as will be seen in his despatch to the Legation No. 54 Enclosure No. 4 I am persuaded they will meet with your approval. It is with some diffidence that I venture to differ from the Consul, who is on the spot, knows the case from personal observation and as an honest conscientious official would omit no opportunity to serve our interests. It is also one of those cases local in character which

which the Legation prefers to leave to the resident Consul, especially when the official like Mr. Zuck, — enjoys the confidence of the Legation.

It is clear that the — agreement has not been observed — so far as to allow the "American Concession" to share the benefit of the wharfage dues, which are I — may observe in passing, a tax — upon our commerce as well as — upon that of other nations. There would have been no difficulty in our terminating the arrangement. But before taking this extreme step there were practical considerations which could not be overlooked. — The "wharfage dues" was a light —

tax

tax, no burden to the commerce, and had been spent for useful purposes. There is a fine macadamized road through the native city. There is a wide capacious bund. Pleasure grounds have been laid out. The roads through the settlement are as good as any in an American or European town. There are public lights, a police force, good sanitary arrangements, avenues shaded with trees. American residents enjoy these benefits as well as foreigners of other nationalities — and are free from municipal taxation. Of course the property thus benefitted is the property of others.

others, while the dues come in part from our commerce. But as will be seen in a memorandum I inclose, — the amount thus paid by our shipping is so small, that it cannot be — regarded as a burden. 5/241.

Seeing therefore that the — money has been honestly expended for the good of all, my hope is — that the Consular Body will — meet the Consul in a spirit of — compromise, and make some — arrangement by which the share that should revert to the American Concession will from the first of the year be set apart, and allowed to accrue, until the time comes for us in foreign interests as well as

our

own own, to enforce the understand-
ing of Mr. Mangum's. That time
must come if Tientsin increases
in commercial importance. —
The ground we claim will in all
probability, at an early day be
needed for business purposes.
I did not discover in my
conversation and correspondence
with Mr. Tuck that he shared this
hope. On the contrary it was his
belief that at the beginning of the
year the English would withdraw
from the agreement collect —
wharfage dues from all ships
that moored to their bund and
apply these revenues in their
own way. Such an arrangement
would

would open new questions, and I should regret it, as wanting in appreciation of our forbearance in not pressing for a fulfillment of the agreement referred to above. It would also result in making the English Concession as much an English settlement as Singapore or Hongkong, a result that could not be reached without some criticisms upon the part of the imperial cabinet.

From this point of view the proposed action of the English concerns China more than ourselves. I shall watch with interest the developments of the question.

J.

I have the honour to be,

Sir,

Your obedient servant

Enclosures.

1. Mr Zuck to Mr Young
   No 55. September, 8th, 1883.
2. Mr Zuck to Mr Young.
   Nos 44 and 49 July 24th & Aug. 4th, 11th, 1883.
3. Mr Young to Mr Zuck.
   Nos 28 and 31. Aug. 29th and 31st, 1883.
4. Mr Zuck to Mr Young.
   No 374 September, 6th, 1883.
5. Statement of wharfage dues collected from different nationalities.

M.S.S. Despatch No. 271.

Enclosure. 1.

Mr. Zuck to Mr. Young.

Tientsin, Sept. 8th, 1883.

Sir,

In reply to your despatch No. 31., I have the honour to enclose copies of all records in this Consulate concerning the American Concession at this port.

There is a letter addressed by Meadows to the French Consul, of the same purport, as that addressed to Morgan, the British Consul, and the reply being the same as Morgan's, I have not thought it necessary to furnish them.

I am &c.

(Signed) Jas. C. Zuck
U.S. Consul.

Enclosures
Extract of letter from U.S.V. Consul.
1. Meadows to Stanley.

2.

2. Meadows to Morgan.
3. Morgan to Meadows.
4. W. P. Mangum to Cheng Taotai
5. Cheng, Taotai to W. P. Mangum.
6. Covering Statement of W. H. Pethick.

2

Despatch.
Enclosure.

Extract of letter from U.S. Vice Consul.

I also find in a letter addressed by Mr. Meadows the U.S.V. Consul, to the Revd. C.A. Stanley, dated, — Jany, 28th — 1869 pages 181 and 182 of letter book (press) Rept by Mr. Meadows, a report of an interview he had with Chung How, the — Superintendent of Trade for the three Northern ports.

The Consul in seeking for information as to the purchase of the Williams lots, says in this letter to Mr. Stanley: —

"I considered it my wisest course to go
"and hear what Chung How could —
"inform me in the matter. His
"replies to my application for inform-
"ation on the subject were to the —
"following effect." (Here he quotes the language of Chung How. "That

the

" the Stretch of land on that part of the
" River above and below the Tzu chuh
" lin temple was in 1860, selected
" for the foreign residences and places
" of business; that the Chinese inhabit-
" ants were then told by the local
" authorities that they would have to
" leave the places, if the foreigners
" purchased them; that the British Consul
" and the local authorities agreed about
" part of it, and that the price of the land
" would be Rs 30. a mow; that the
" houses would be valued and paid
" for accordingly; that the Government
" annual rent would be 1500 copper
" cash a mow; and that the pay-
" ments had been once made ac-
" cordingly. Further that the French
" Consul and the local authorities
" made a similar arrangement. -
" Further that all the Consuls based
" their claims in China on the
" treaties, the Spirit of which was
" alike for all foreigners. Now in
" the

"the case of the land purchased by
"Mr Blodget (for Dr. Williams) the
"price was the same as that paid
"by the French and British Consuls
"viz:- Taels 30.00 per each mow of
"land. As there were houses on
"some of the mows and not on
"others, it is evident that if the
"houses had been included in the
"price, the rates for each mows of
"land, would not have been alike."

Despatch
Enclosure.
Mr. Meadows to Mr. Morgan.

Tientsin, 2nd January, 1883.

Sir,

I have the honour to address you on the following matter for the information and guidance of the persons concerned. Some 6 years back Dr. Williams, U.S. Secretary of Legation, purchasing a quantity of land in the ground south of the British Settlement, Tientsin, and known to residents as the American settlement, but not having as yet required it for foreign purposes the Chinese occupiers were not ordered to vacate the houses on it. As he however, last year considered it was time that he should derive some benefit from the monies he had expended on it, he requested his friend the Revd. Mr. Stanley to intimate to the Chinese residing on the property that

that he would in future expect them to pay the usual Chinese rent for the outward parts of it, and for the residencies. Greatly to his astonishment they now have refused, and say that the houses are their property, and that he only originally purchased the land on which they are erected. I have examined the title deeds, but nothing is stated of the houses being distinct from the land; and it appears to foreigners a strange custom for the houses not to have been sold with the property on which they stood.

I have now to request that you will have the goodness to acquaint me for the information and guidance of Mr Stanley and Dr Williams on what conditions the British Settlement was bought by H. B. M. Government from the Chinese owners.

I am &c

Signed) John A. T. Meadows.

U. S. T. Consul.

Despatch.
Enclosure.
Mr. Monegan to Mr. Meadows.

No. 1. January, 4th, 1869.

Sir,

In reply to your letter of the 2nd inst., I beg to inform you that the British Settlement at this port was bought by H.B.M's Government from the Chinese owners at the rate of Tls 30.- per mow, on the condition that a ground rent of 1500 copper cash per mow should be paid annually to the Chinese Government, and, further, that the houses which stood upon the site so purchased were valued and their owners were compensated accordingly.

I am &c.

(Signed) Jo Monegan.

Despatch.
Enclosure.
Mr. Mangam to N. E. Cheng

Tientsin, 12th October, 1880.

Sir,

I have the honour to inform you that as the Police and Municipal regulations in the American Concession, under the form in which they have been carried on, have led to some irregularities and misunderstandings, I have put a stop to the same, have dismissed the police force, and propose to relegate the Concession back to its former status, with the understanding that if at some future time, it shall become desirable to establish suitable Municipal regulations therein it shall be competent for the Consular Authorities to do so. In the meantime I inform you so that you can take such steps in regard to the native

resident

residents there as in your judgment you may deem most suitable.

I am &c—

(Signed) H. P. Mangam.
U. S. Consul.

Despatch.
Enclosure.
N. E. Ching to Mr. Mangam.

Tientsin, Oct. 14th, 1880.

Sir,

I had the honour to receive, on the 12th inst., your despatch to the effect that

"As the Police and Municipal "regulations are". (quotes Mr Mangams letter in full)

From the above it would appear that the administration of the American Settlement as at present labours under considerable disadvantages and has at times given rise to misunderstandings. I will, therefore, as requested, instruct my Deputy Resident in the Foreign Settlement, to take such measures, in conjunction with the Local Officials, as will obviate the necessity of returning again to the present System of administration.

tration. If at some future time, however, any American Consul should desire to have the settlement revert to the present System of administration, he must first arrange with the Customs Taotai as to the mode of administration; and, if there be nothing objectionable in same, then there should be nothing to prevent the Settlement from reverting to the original government.

I have &c.

(Signed) Chêng Tsao jü
Customs Taotai.

Despatch.
Enclosure.
Mr. Pethick to Mr. Zuck.

Tientsin, Sept. 8th, 1883.

Dear Mr. Zuck,

In reply to your enquiries regarding the status of the American Concession at this port I beg to say that when I joined the Consulate as Interpreter in October 1872, the archives were in a most chaotic state. A short time before when Consul Sheppard took charge, the late Mr. John A. T. Meadows, who had been Acting Consul for many years previously, sent Mr. Sheppard all the official records in his possession packed in a rice bag. To speak more accurately - first fell upon me to open the bag and arrange its contents - there was but half a bag of records, - consisting of 2 or 3 press copy books for English letters, a land register-book,

a

a Chinese letter book, and a mass of loose papers and blank forms. From the loose papers I collected a file of Chinese despatches from the local officials to Mr. Meadows, but I think this file was far from being complete.

To get back of the business and refer to precedents Sheppard and myself had several interviews with Meadows (who was then an invalid) and on one occasion when I was speaking with him about the land registered in the Consulate, he explained to me that he was in Tientsin when the land for the concessions was marked out and appropriated by the Chinese authorities to the English, French and Americans. The Northern Superintendent of Trade at that time, Chung How, authorized and directed this transfer and to Meadows's personal knowledge set apart a piece of ground for Americans in the same way and at the same time, as these for the

English

English and French. Our concession extending from the river to the Yakin road, and from the English concession to the Canton and Foochow Cemetary.

At that time we had no special reason for going further into this matter and we did not doubt the accuracy of Meadows' statement or that it would be substantiated in various ways, and perhaps in the records he had transferred. However, no question whether from Chinese or Foreigns as to our rights to the concession ever came up during my connection with the Consulate (which ended June, 30th, 1880); therefore Sheppard and his successor and myself, never thought of such a possibility or gave attention to find proof for those presumed rights. Nor since leaving the Consular Service have I heard our right to the Concession questioned by anyone.-

Meadows

Meadows died a year or two after I came here. He had stated that, when the port was opened to trade, foreign merchants flocked here from Shanghai and invested in land, all of them expecting to open Hongs and do a roaring trade. — Several Americans came, representing American firms in Shanghai, and these Americans all bought land on the American Concession not one buying on the other concessions. The representatives of Messrs. Russell & Co., Heard & Co., and Olyphant & Co., each bought lots there, and later on Dr. S. W. Williams, of the American Legation, also bought a lot there. The lots so bought were the only ones owned by American Merchants within any of the Concessions; this was so in Meadows time and has, I believe, held good down to the present. It is not likely that Americans bought only there unless for

for some good reason, which probably was that they knew it to be the American Concession and believed it would come under American Control and Government.

There were plenty of equally desirable lots with water frontage still obtainable at that early time in the English and French Concessions, but our Pilgrim fathers did not choose to locate elsewhere.

Mr James Morgan was British Consul when the port was opened and remained here until after Consul Sheppard left. When I was in charge of the Consulate after Sheppard's departure, I had occasion to consult with Morgan about the boundary line of the English Concession, on the American side. Morgan and I walked to the spot one day and he explained to me that the English Concession was divided from the American by a ditch specially

dug

dug for the purpose, the ditch being 5 feet within the English boundary. Monigan always spoke of the American Concession as an established fact, - and when one of his nationals (Mr. Stewart) who was the only foreign resident in that Concession, got into trouble with Chinese there, - Monigan always referred him to the American Consulate for redress. At my suggestion Monigan had the ditch filled up and made into the street which now bounds the two concessions.

Messrs. Heard Bro's lot - the first from the English Concession was sold at Auction to Mr. Chu Chi ang, one of the founders of the Chinese Merchants St. Co'y. Mr. Chu resold half his lot - the half on the river - to the China merchants St. Co'y. and soon after - bought Mr. Stewart's lot (originally - Russell Bro's, I believe) and built - godowns and Chinese shops and

houses

houses upon it. Mr Chu died, and his brother Chu chi chao, Taotai, and present owner of the North Chihli Copper Mines, inherited the estate and owns and lives on the property yet. In Consul - Denny's time this Mr Chu came to the - Consulate and proposed to build a bund at his own Expense along the whole - length of the American Concession, if the Consulate would collect and pay him wharfage dues and mooring fees for a term of years, and he would - contribute largely for the maintenance of a police force and for sanitary - expenses.

It was not till then that the - Consulate paid serious attention to the Concession and Denny decided to commence in a small way to Exercise control over it. We established a native police force, Kept the streets clean and in repair, and met the Expense by a small house and shop tax - never more than a few hundred cash for

any

any one owner – which tax the people gladly and promptly paid – for they at once enjoyed its benefits – good order – good roads – and cleanings. The present Consular Marshal, Mr. Hall, used to visit the Concession daily, as also did the writer. Nothing was done about Mr. Chu's Scheme he having gone away to hold office (Sup.t of the Yangtsze river) for 2 years.

The Chinese authorities knew of all this, which went on for over a year, and took it as a matter of course, – never once questioning our rights. – We had several talks about the Concession with the Customs Taotai at that time – the present Chinese minister to the United States – and he never raised the point of our claim to the concession, his only purpose was to ask us to – prohibit prostitutes living there – and hereby hangs a tale, but it is sufficient here to say that his underlings had been stopped from levying heavy –

Squeezes,

(6

squeezes, especially upon that class of people, and they had retaliated by stirring up N. E. to come to the American Consulate and pose as a public moralist - a man whose personal net gains from his office by illegal taxes on trade were then $300,000 per year! He was anxious, for the fair fame of foreigners, that prostitutes should be banished from the American Concession, while his own Yamen stands quite near to the most notorious hot bed of prostitution in Tientsin. We did not yield this point, first on principle, to stop dictation and interference, and again because Chu Taotai rented some of his houses to prostitutes and objected to their being sent away as long as they lived quietly and paid their taxes the same as better people. We finally told this last reason to the Customs Taotai and said that if he liked he might arrange it with Chen Taotai, and there the -

matter

matter ended. The Taotai never met in conflict over this single exception to the peaceful political history of our territory. At this time Denny seriously thought of having a consulate built there.-

When I left the Consulate the Chinese on the concession presented me with an honorary tablet on which I blushed to read the immaculate virtues they had ascribed to me, as a slight token (6 feet long and 2 wide) of their appreciation of the life, liberty and pursuit of happiness they had enjoyed under our Flag and benign government.

When I abdicated that throne I became a merchant and thought no more of the fate of Empires or of concessions.

Consul Mangum's action and motives in turning over the concession to the temporary care of the Customs Taotai, I presume you will

will find in your records. The funds in hand - accumulated taxes paid by Chinese and intended for improving the streets and bund - were used for building a higher wall around the Consulate - and other purposes for which the money was not collected; the well trained police force was disbanded, the American flag hauled down, and the place was evacuated as the petty military mandarin representing the Taotai led in his ragged regiment of five hungry soldiers. - I cannot help remarking that the whole garrison after two years occupation has become very sleek and well dressed, and Mr Gall can tell you how the people say their lives are nearly squeezed out of them and how they pine in this epoch of the Bamboo, for the Golden age they enjoyed - like Lotus Eaters - under the American flag. -

Still, - if I may venture an opinion I question whether it would now be worth

worth the trouble to re-organize and carry on our former system of control, seeing that no Americans reside or have any vested interests there — On these grounds the game would hardly be worth the powder.

But it is important to hold our rights in the general interests of the Foreign settlements for the larger the area of good government and cleanliness the better will be the status of all Foreigners alike. — Passing across the boundary of any Foreign Settlement into Chinese Quarters is like stepping from a garden into a city, the further off we can keep the city the better it will be for us — if not for our bacon.

Very truly yours,

(Signed) W. R. Rethick.

Despatch No. 271.
Enclosure 2.

No. 44.

Mr. Zuck to Mr. Young.

Tientsin, July, 27th, 1883.

Sir,

Referring to your despatch No. 19. dated April, 17th, 1883 on the subject of collecting wharfage dues at this port. I now have the honour to inform you, that pursuant to instructions therein contained, a joint meeting of the Consular body, the Superintendent and Commissioner of Customs was held on the 25th day of July, 1883, and conclusions arrived at was, that it was impracticable to put into operation such a tariff as the one proposed by the Foreign Representatives at Pekin. I enclose herewith a memorandum 1/- expressing the sense of the meeting. I refused to sign the memorandum on the ground, that the funds collected

collected from wharfage dues, were not being applied as directed by the Foreign Representatives at Peking, in their agreement of April, 26th, 1882, which is the only document authorizing the collection of such wharfage dues. The last quarters wharfage dues collected were in violation of the agreement of April, 26th, 1882, paid two thirds to the Chinese authorities, and the remaining one third to the British and French Concessions.

I also enclose herein a copy
2/- of my protest addressed to H. E. Hobson, Esq. the Commissioner of Customs, when I learned that he had ignored the American Concession. I have no objection to the rate or tariff as agreed to by my colleagues, and think it just and equitable to all parties, but I declined to sign it, on the ground that the original agreement

were

was not kept in good faith, and when they were willing to pay the American Concession its proportion of the funds collected and then carry out the plain terms of the original agreement then I would be willing to sign it. As it now stood there was no need of a tariff, and none would be required unless the money collected be disbursed as heretofore agreed. —

I am &c. —

(Signed) Jno. Russell Young. +

+ This should be signed

J. C. Zacks,

U. S. Consul.

No. 220.

Mr. Zuck to Mr. Hobson.

Tientsin, July, 26th, 1883.

Sir,

Having been informed by your circular letter shewn in the settlement, that you had disbursed the amount of wharfage dues collected at this port during the last quarter, ending June, 30th, 1883, as follows two thirds to the Chinese authorities and the remaining one third to the British and French concession, and divided between them in the proportion of 6/10" to the British Concession, and 4/10" to the French concession. Now therefore I beg most respectfully to enter my protest against such division and disbursement of said wharfage dues on the following grounds.

1st As Consul for the United States,

I

I was authorized to give my consent to the collection of said wharfage dues on the conditions as stated in the minutes of the meeting of the Representatives of Great Britain, France, Russia, Germany and the United States, held at Pekin, April 26th, 1882, which recites that "from "the 1st April, 1883. onward the "sums collected as Wharfage dues, "should be regarded as exclusively "applicable":

"1st. to the construction and maintenance of the Chinese roads described "in the Circular Protocol of the 19th "April, 1882.

2ndly to the construction or maintenance of Bunds along the shore of the French, British and American Concessions.

3rdly the above requirements being duly satisfied to the general improvement of the commercial facilities of the Port, as by dredging or the like operations.-

2nd.

2nd That at a joint meeting of the Consular body and Chow Taotai held Mar 21st, 1863. - I gave consent for the continuance of the collection of wharfage dues for another year, on the same terms and conditions, and that the money so collected after the first day of april, should be disbursed as above set forth, and for the objects therein named 3rd I submit that all taxes and dues must be used for the objects for which they are levied and collected, and that one of the objects named among others, for which wharfage dues are to be collected, is for the construction and maintenance of a Bund along the shore of the American Concession

I am &c. —

(Signed) Jas. C. Luckt.

U. S. Consul.

Resolved that it is the sense of the undersigned that the present tariff of Wharfage dues be continued, excepting that as to tea, it be as follows:-

Black tea.	2 can.	5 cash.
Green -u-	2 u	5 -u-
Black brick	0 -u-	8 -u-
Green -u-	0 u	8 -u-
Tea dust.	1 -u-	0 -u-

to take effect from July 1st, 1883.

(Signed)-

A. Pelldram.- 周毅

Arthur Davenport.

M. Shishmarreo.

H. Frandini

H. Shinamuria.-

Tientsin, July. 25th, 1883.-

No 49.

Mr Luck to Mr Young.

Tientsin, Augt 4th, 1863.

Sir,

I have the honour to forward herewith copies of two additional papers in connection with the question of wharfage dues at this port. 1/2

To the reply of Commissioner Hobson, to my despatch No. 220, I have made no response as it was not necessary to conduct any further discussion in that quarter, as my despatch was only intended to reserve our rights, which was done by my despatch No. 220. The answer however to the despatch of the Commissioner, is that the original papers which authorized the collection of the wharfage dues and the distribution thereof, said that

that after the first day of April, 1883. one third should go "to the construction "or maintainance of Bunds along the "foreshore of the French, British and "American Concessions" and it was not a new distribution of funds as he intimates, but a distribution that was agreed to in 1882, and then again continued on the same terms at the Consular Meeting of March 21st, 1883.

If that authorization to distribute was good in 1882, it was equally good and binding in, 1883.

That as the distribution agreed to by the Foreign Representatives in Peking, April, 26th, 1882, remained unchanged no further notice was required.

If that agreement had been changed or such a distribution as he made the last quarter, had been intended to have been made, he would doubtless have received such notice from the Senior Consul.

I am &c

(Signed) Jas. C. Zuck
U.S. Consul.

No. 64

Mr. Hobson to Mr. Zucki.

Custom House, Tientsin July 30th-83.

Sir,

I have the honour to acknowledge receipt of your despatch No. 220 dated 26th inst., in which you protest against the manner in which the Wharfage dues collected during the quarter ending 30th June last were distributed.

In reply, whilst requesting you to note that as regards the collection and disbursement of wharfage dues, my duties are of a purely honorary nature, I have only to remark, that at date, my archives are entirely destitute of official instructions of the said dues otherwise than when the present scheme for collecting first came into operation.

Under the circumstances, I beg to suggest, that if at the joint meeting of the Consular body and Chow Taotai,

which

which you refer to as having been held on the 21st March last, a new arrangement for the distribution of wharfage dues funds was arrived at, official etiquette required that the Senior Consul or whoever took the Chair on the occasion, should have informed me of that arrangement, when I should naturally have been at pains to be guided accordingly.

I have &c.

(Signed) N. Edgar Hobson

Commissioner of Customs.

Wharfage Dues.

The following Tables give the results of a comparison between the Wharfage Dues Tariff, as in force at present, - and the rate which would be leviable were the new Tariff, based on the average of three years prices, put in operation.

Import Tariff.

Total number of enumerated articles that have been passed through the Penang Custom House, during the years - 1880 - 1881 - 1882. -	201. -	
No: of articles in new Tariff remaining at same rate as in old Tariff. -	102. -	
No: of articles at a higher rate.	39. -	
No: of articles at a lower rate. -	23. -	
No: of articles dealt with under Special Regulations (Specie &c.)	3. -	
No: of "ad valorem" articles, i.e. - those that cannot be included under any Tariff denomination	14	201.

Export.

Export Tariff.

Total number of enumerated articles (see above)		186.
No: of articles in new Tariff remaining at same rate as in old Tariff.	83	
No: of Articles at a higher rate.	71.	
No: of Articles at a lower rate.	26.	
No: of "ad valorem articles (see above)	6	186

Despatch. 271
Enclosure. 3.

Mr. Young to Mr. Luck.

No. 28.

Pekin, 29th August, 1883.

Sir,

I am in receipt of your despatches No's 47 and 49 in reference to fixing a scale of wharfage dues at Tientsin, and the action taken thereon by yourself and the Consular body. From this I learn that your colleagues, in disregard of the memorandum agreed upon by the foreign ministers, April, 26th, 1882, made such a distribution of the wharfage dues as ignored the American concession. By that agreement as it was drawn up by the British Minister and supported by the representatives of Germany, France, England and the United States, it

it was understood that a wharfage fee "of one per mil" should be levied by the customs on all merchandize shipped in or landed from foreign bottoms within the port, whether belonging to the Chinese or Foreign trade". It was agreed that the revenue thus collected should be applied "First - to the construction and maintenance of the Chinese roads described in the Circular Protocol of the 19th of April, 1882. Second to the construction and maintenance of Bunds along the shore of the French, British and American concessions - Third, to the general improvement of the commercial facilities of the Port, as by dredging or the like operations".-

In this second stipulation it is conceded that what is known as the "American Concession" shall receive "a part of the wharfage dues for "the construction and maintenance" of a Bund along its shore.- Instead of that

an

an arrangement was made, awarding two-thirds to the Chinese, and of the remaining one third, six tenths to the British and four tenths to the French concessions. It also appears that in the disbursements of this money care has been given not merely to the bunds alone, but to the police, the general improvement of the settlement, the opening of roads - and recreation grounds - In other words, it would seem that the revenue from Wharfage dues is so much in excess of what is required for the purposes laid down in the Memorandum that it provides for the entire Government of the Settlement, without the necessity of Special taxation.

As I understand the position of what is known as "the American "Concession", the circumstances are as follows: When the Chinese in the Execution of treaty stipulations opened Tientsin to Trade, three concessions

were

were set apart for the use of the British, French and Americans. Her Majesty's Government entered upon the possession of theirs as though it were crown land, and have since so held and governed it, forbidding Chinese to reside within the limits, and exacting from foreigners claiming their hospitality a recognition of the absolute authority of the crown. The French as I understand practically followed the same principle, and as a consequence these two settlements are virtually English and French.

The Americans so far as I can learn, made no attempt to hold or develope the concession. The objection of our government to the adoption of any policy like that of England and France namely a policy of colonization may have led to this indifference upon the part of our consular officials

officials at Tientsin. Be that as it may, however, the history of the foreign settlement at Tientsin is, - that the British and French have made roads, planted trees, built - bunds and houses, and churches - have made an attractive town - fit for commerce and residence. - Within the limits all foreigners, - Americans among them, find - homes and protection. The - - American Concession was allowed to lapse. No pains were taken to assert our rights. The residents preferred to cluster together within the British and French lines. Trade and industry did not require the extended facilities which the un American Concession afforded. The Chinese returned and have made it virtually a Chinese settlement. The few Americans who held land have sold it. And the Consulate, - weary of a responsibility which -

means

meant only care without doing any good either for his own countrymen or his brethren of other western nationalities, returned the concession to the Taotai, putting it under Chinese law but reserving the right to reclaim it when necessary.

The American Concession is therefore an abandoned grant, upon which we have reversionary claims.

The question whether it is wise or not to revive these rights underlies the whole principle for which you contend in this matter of the wharfage dues. If we insist, as it is our undoubted right to do, that under the agreement of the ministers, referred to above "the American Concession" is entitled to a certain share of the wharfage dues, then we must resume authority over the concession - we must apply this money to its improvement

improvement - the extension of the Bund - the building of roads, and doing what the French and English have done.

Other questions arise. Do the business and social necessities of Tientsin require the additional space which the American concession would provide. Should this concession be governed by the British, the French or ourselves. - What steps should be taken with the Chinese who have found homes there.)

The opinions of yourself and your honorable colleagues would be of more value on these points, - from your knowledge of Tientsin, - than any that could be found at Peking. (I may venture to say, however, that it would in the judgment of this Legation, be a mistake for the foreigners in Tientsin to abandon the American concession.)

I am looking at the question, not as an american, but from a point of view involving all western interests. You may have room enough now for domestic and business purposes, - although I am informed that the Bund is often overlaped to accommodate the shipping. - You may have room - enough for ten years. But if Tientsin grows as it has grown, as Shanghai has grown, then as conservatives of foreign interests, yourself and your honourable colleagues must see, that ordinary prudence, and a care for the interests of those who come after you make it your duty to hold this concession. In the event of railroads coming it would be of value, and even now the extension of the bund along shore would improve the commercial - facilities of your port.

(As to the matter of government, the Legation would consent

to

to any arrangement that would best suit the interests of those resident in Tientsin. That is a matter, which would be left, as in Shanghai to the consul and the Consular body.)

As to the Chinese who have formed homes in the concession, I see no reason why they should be disturbed so long as they submit to sanitary and police regulations as in Shanghai. There are many advantages, as has been seen in Shanghai from having a Chinese settlement under foreign control.

I have presented these views, in order that you may know the impression which the whole question has made upon the mind of the Legation. I am anxious that it should be disposed of in a spirit of wisdom and conciliation. (What we want after all is a foreign settlement in Tientsin, where our people can live

as

as they do at home. It is a minor matter whether it is under the French or the English, the Russian or the German flag. I am disposed to look with admiration and gratitude and in no spirit of Envy, at what the French and the English have done in Tonkin, compared with our own poor performances in the American concession)

In my judgment therefore it would be well to meet your colleagues and consider the whole question from this stand point. (We have an undoubted right to a share in the wharfage dues). That has been declared by the Diplomatic body, and the declaration approved by my government. Therefore if I were disposed to withdraw from the arrangement of April, 26th, 1882 it would not be in my power to do so, until I had the authority of the Department. I am not disposed

to

to take any such course, or to recommend it to my superiors. I am convinced that the future of Tientsin will be advanced by holding and improving the American concession, and that it was a wise and far seeing act upon the part of the Diplomatic Body in 1862, to so determine.—

It only remains for me to call your attention to that agreement, and to remind you that your duty is to see that it is respected. I am convinced this can be done without doing violence to any existing arrangements. We are now in the last quarter of 1883. The wharfage dues for three quarters, have been collected, divided and spent. spent, I have no doubt for the comfort of the foreign residents. I am bound to assume that this was done in good faith, and without any desire to ignore

American

American rights or disobey the orders of the Diplomatic Body. I am informed in fact, by the representative of N. B. M. that when the budget was arranged for the year it met with the unanimous approval of the Consuls. If you can come to an agreement as to the American Concession on the lines laid down in this despatch, an agreement that from the first of the next fiscal quarter, namely, January, 1st, 1884, the Memorandum of the Diplomatic Body will go into force, and the American Concession receive its share of the wharfage due. I should be disposed to accept that as a settlement.

I am led to this in a spirit of compromise, and for what seems to be the best advantage of Tientsin. For us to press our rights to the utmost would be an embarrassment to your local government. If

I.

I thought that the departure from the agreement, was an intentional disregard of American interests I should not hesitate to do so. This I do not think. I deem it rather as a misunderstanding, and to be dealt with in that spirit.

You are at liberty to read this despatch to your colleagues. I shall await with interest the result of further deliberations. If the consuls meet you in a spirit of compromise, I see no reason why the whole question should not be arranged and the American concession be utilized to the advantage of all foreigners in Tientsin. It is that hope which leads me to suggest this plan.

If you find that you are disappointed in the manner in which it is received you will please withdraw from any discussion of the subject, and await

await further instructions
from the Legation.

I am &c.—

(Signed) John Russell Young.

Despatch.
Enclosure.

Mr. Young to Mr. Zuch.

No. 31.
Confidential.

31st August, 1883.

Sir,

If the Consular body in Tientsin accept the suggestions contained in my despatch to you No. 28, we shall be called upon in December to decide what proportion of the wharfage dues should be given for the improvement of the American concession.

I have been thinking over the question a good deal, and what you have to apprehend will be this. The Chinese will contest your over-ment, and that of the Diplomatic body as expressed in the memorandum of April 1882, that there is an "American concession". Mr. Bacher, of the Russian

Russian service, formerly your colleague and now in charge of H. M. R. Legation informed me the other day that there was no evidence that such a concession had been made by the Chinese, or that it ever existed, except by common report. It would be well for you to look into this, so far as the archives of your Consulate will permit, and send me copies of all documents bearing upon our rights. Because if you in Tientsin, and the Legation in Peking are met with a challenge as to our right to this land we must be prepared to meet it.)

I am led to this apprehension by what has been said to me by Mr Maeber and Mr Governor-Judge Denny or Mr Pethick may be able to give you some information -

I am &c. -

(Signed) John Russell Young.

No. 54 Despatch No. 271.
Enclosure 4.

Mr. Zuck to Mr. Young.

Tientsin, September 6th, 1883.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 28. in reference to the wharfage dues question. The agreement for the levy and collection of wharfage dues, is only for a year, and if you are prepared to waive our claim in the distribution of the fund for the year 1883 it would seem as though nothing is to be done by me. I am satisfied that the Consular body of this port would not recommend the continuance for another year, of a scheme that has been regarded from the start, as so vague and unreasonable. At the Consular meeting held last march, I have but little doubt, that had not the

Taotai

Taotai informed us, that he had entered into certain contracts involving the expenditure of large sums of money, with the expectation that the scheme would be continued for another year, consent of the Consular body could not have been obtained.-

In submitting your proposition, my colleagues will of course agree to take the entire wharfage dues for the year 1883, just as they did in 1882, and when an arrangement for 1884 is presented, I will very properly be told, that at the end of the year, it will be determined as to whether the scheme will be continued for another year, and upon what terms and conditions.-

As to whether we have an American Concession de facto or not, does not enter into this question. There is a certain piece of ground fronting on the river

Peiho,

Peihe, that requires bunding, and which has been known by all residents here, as the American Concession, since the year 1860, and the memorandum agreed upon by the foreign ministers, April 26th, 1882 says that "The Representatives are of opinion that from the "1st April, 1883 onward the sum "collected on wharfage dues should "be regarded as exclusively applicable:-)

"1st ly To the construction and maintenance of Chinese roads &c.-

"2nd ly (to the construction or maintenance of Bunds along the "shore of the French, British and "American concessions.)

"3rd ly the above requirements being "duly satisfied to the general improvement of the commercial "facilities of the port as by dredging "or the like operations."

I fail to discover as you say that

that "care was taken that it should
"be given not merely to the bunds
"alone, but to the police, the general
"improvement of the Settlement, the
"opening of roads and recreation
"grounds"; but I do see that care
was taken so that the tax levied
on the entire commerce of this
port, for such it is, should go
exclusively to improve the com-
mercial facilities of the port, and
in order to prevent any further
illegal appropriations of these
funds to the building of pleasure
roads, and recreative grounds, the
agreement names definitely and
minutely the objects for which the
money shall be expended, and as
these funds are wholly derived
from commerce, the commerce
of the port shall have the benefit.

Taking this view of the case
H. B. M's Consul Mr Brenan, —
refused his consent to the building

of

of the pleasure road to the Nai Kuan Tsu, and of these funds that went to the British Municipality, and before the money could be taken from the Treasury, it was thought wise to obtain the consent of the Foreign Ministers at Peking, before it was done. I submit in all candour is it not more in accordance with justice and right, as well as following out the letter and spirit of the agreement of the diplomatic body in Peking, to construct and maintain bunds, thereby benefiting the commerce of the port, than it is to build pleasure roads and recreation grounds.

(Nor do I quite agree with you that we must assume the government of the American concession, in order to participate in the distribution. All we have to do in the premises, is to see that our

share,

share, be it much or little shall be used for the objects named, and no outsider has the right to inquire under what government the concession is, so long as the money is not misappropriated. If the distribution had been made to carry on and maintain the government in the American concession, then it might be pertinent to inquire who had charge of that responsibility, but such is not this case. In any case the Chinese authorities are the only ones that can question our right to the concession, and this they have never done, nor has there ever been even an intimation from others to that effect. I have spent several days time in going over the early records of this Consulate, and which I am sorry to say are in a very imperfect condition, to ascertain what they show concerning the

American

American Concession, and in my
reply to your despatch No. 31. I
will forward the result of my
labours)

In answer to the question -
"Do the business and social -
"necessities of Tientsin require -
"the additional space which the -
"American Concession would -
"provide?" Yes. - The Germans
only two years ago tried to obtain
a concession, as they thought it
necessary. If the business of -
Tientsin did not require it, the -
sanitary condition of the foreign
settlement require that as great
a territory as possible should
be under the control of foreigners.
Aside from this the time may come
when American commerce and -
interests may require its use
and occupancy, and our rights
thereto should be strictly guarded.
As to the statement of H. B. M's -
Consul,

- al, but when I served my protest on the Commissioner of Customs, protesting against such distribution, as ignored the agreement - and American interests, and when I informed my colleagues, at the Consular meeting, held, July 25th., 1883. that the agreement of the Diplomatic body, for the last - quarter had been ignored, and - that unless I had some assurance that the American Concession, should receive its share in the future, I could not consent to any scale of wharfage. No such assurance was given, and I declined to - sign the proceedings of the meeting, solely on the ground that the American Concession was being ignored. After these proceedings I can have no - doubt, but that it was the intention to ignore the American Concession.

At the Consular meeting held in July, the conversation was

to

to the effect, that as the provisions, allowing the American Concession to share in the distribution, was inserted at Peking by the Diplomatic body, it was the proper party to name the amount, and the question should be referred there for final adjustment.

I have at least deemed it prudent not to move in the matter until I hear further from you on the subject.

I am &c

(Signed)

Jas. C. Zuck

U. S. Consul.

Despatch No. 271.
Enclosure 5.

Wharfage Dues.

Total collection, year, 1882, NK. Taels
18,316·816

Divided among Nationalities:-

Nationality.	Amount paid.	Percentage of Collection.
American.	NK.Tls. 112·561.	·614
British	" 1,510·430	8·246
Chinese	" 12,202·127	66·617
Danish.	" 7,054	·038
French.	" ·697	·004
German.	" 152·490	·833
Japanese.	" 1,071	·006
Russian.	" 4,302·167	23·488
Swiss.	" 28,219	·154
	NK.Tls. 18,316,816	100·000

Wharfage Dues Office
Custom House.
Tientsin, 17th February, 1883.

W. Wang

Confidential.

No. 272.

Legation of the United States.
Peking, October 29th, 1883.

John Russell Young to
the Secretary of State.

Subject.

The German Minister.

Synopsis.

Refers to despatch number 230.
and corrects a statement
made therein that Hr. von
Brandt had been recalled
because of the Swatow affair.

No. 242.

Confidential.

Legation of the United States.

Peking, October. 29th, 1883.

To the.

Honourable Fred:k T. Frelinghuysen.

Secretary of State.

Sir,

In my despatch No. 230., — dated August, 8th, 1883.. I reported — to you a conversation with the Grand Secretary Li Hung Chang in which occurred this passage: —

"Prince Bismark" said His — Excellency "was a good friend to China. "He had recalled Mr. Von Brandt to please "China

"China, because of the landing of
"German marines at Swatow, and
"the violation of Chinese soil."

I have since learned in
conversation with Count Tattenbach,
who is acting as minister during
Mr. von Brandt's absence on leave, that
this statement arose from misinforma-
tion on the part of the Grand
Secretary. Despatches had been
received at the German Legation
from the Berlin Foreign Office approv-
ing Mr. von Brandt's action at Swatow,
and shewing that he had in no
way lost the confidence of his
government.

I was glad to hear this
not alone from personal regard for

Mr.

Mr. Von Brandt, as a colleague, but on
because the retirement from the
diplomatic service in Asia of so
eminent and experienced a minister
would be felt by all Western interests
represented at this Court.

I have the honour to be,

Sir,

Your obedient servant.

Geo. Russell Clay.

Col Morgan

1 One Enclosure.

Legation of the United States.

Peking, October 31st, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

Chester Holcombe to the Secretary of State

Subject.

Salary account.

Synopsis.

Refers to despatch of October 4th, and encloses a duplicate of this account.

Tm

No. 1. One Enclosure.

Legation of the United States.

Peking, October 31st, 1883.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:

Referring to my despatch of the 17th instant, I have now the honor to enclose a statement in duplicate of my salary account for the quarter ended September 30th, 1883.

I have the honor to be,

Sir,

Your obedient servant.

Chester Holcombe

Enclosure.

Enclosure.

1. Duplicate statement of salary account for quarter ended September 30th/4, 1883.

No. 273. One Enclosure.

Legation of the United States.

Peking, October 31st, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Salary account.

Synopsis.

Refers to despatch number 263. and encloses a duplicate of this account.

No. 273. One Enclosure.

Legation of the United States.

Peking, October 31st, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Referring to my despatch number 263. of the 14th instant, I have now the honor to enclose a duplicate statement 1/273. of my account for salary for the quarter ended September 30th, 1883.

I have the honor to be,

Sir,

Your obedient servant.

Edward Emery

Enclosure.

Enclosure.

1. Duplicate of salary account for quarter ended September 30th, 1883.

No. 274. One Enclosure.

Legation of the United States.

Peking, October 31st, 1883.

DEPARTMENT OF STATE
DEC 20 1883
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Legation rent account.

Synopsis.

Refers to despatch number 264, and encloses a duplicate of this account.

TM

No. 274. One Enclosure.

Legation of the United States.

Peking October 31st, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Referring to my despatch number 264 of the 11th instant I have now the honor to enclose a duplicate statement 1/274. of the rent account of this Legation for the quarter ended September 30th, 1883.

I have the honor to be,

Sir,

Your obedient servant

[signature]

Enclosure.

Enclosure.

1, Duplicate of rent account for quarter ended September 30th, 1883.

Received 1st copy Washington Jan 23, 1884 ex Pekin

Copy to Mr. Penfield Jan 23, 1884 ex Pekin

No. 275. Confidential. Writing

Legation of the United States.

Peking, November 1st, 1883.

DEPARTMENT OF STATE JAN 9 1884 RECEIVED

John Russell Young to the Secretary of State.

Subject.

Trouble between China and Japan.

Synopsis.

Refers to an apprehension expressed in despatch number 230. which happily has proved groundless. China manifests no intention unfriendly to Japan, and Japanese Government has thanked Mr. Young for his influence

influence in preserving
good relations.

No. 245. Confidential

Legation of the United States.

Peking, 1st November, 1883.

To the,

Honourable Fred.k T. Frelinghuysen

Secretary of State.

Sir,

In my despatch No. 230.

I had occasion to refer to an ~~~

apprehension, which was among

the current rumours in conversa-

tion and newspaper publications,

to the effect, that in the event of ~~~

war between China and France ~~~

Japan would aid France either ~~~

directly or indirectly. There were

many

many circumstances, arising out of the relations between Japan and China, familiar to the Department, which gave currency to this belief. In conversation with Mr. Tricou, the French Minister. His Excellency regarded the contingency of an alliance between France and Japan, with a sentiment akin to disdain. I presume this was his real feeling, as nothing would do more to lessen the influence of France as a great Western power, than her seeking or even permitting alliances with one Eastern power against another.

At the same time there are

are alliances which may not be alliances. The strained relations between China and Japan, lasting now for many years, the restive condition of the war party in Japan, the agitation directed by the radical reformers and the younger politicians and statesmen in Japan, for some new expression of the national renaissance, which could only be found in enterprises against China, the death of Mr. Iwakura, who was the embodiment of the conservative sentiment in the Tokio Cabinet all gave colour to the fear that while Japan would not be admitted to a formal alliance with France, there might be one of

those

those coincidences found in history, which would result in Japan attacking China on her own account while China was dealing with France.

These rumours took another form, and this as I happen to know, gave much concern to the Tokio Cabinet. It was believed that China, and especially the Viceroy Li, meant to arrange with France under the pressure of necessity, make as good terms as possible, and then to satisfy the war-element in the Chinese councils and show the country, that all the money given for arms and war vessels had not been given in vain, suddenly attack Japan. Such an enterprise came within

within the range of probabilities, and as I said was regarded not without alarm by the Cabinet in Tokio and the Legation in Peking.

Admiral Enomotto in conversation referred to these rumours and said that Japan was watching events with interest, and while she deplored war, would not be found unready. He himself had seen nothing to justify the apprehensions as to hostile purposes on the part of the Chinese. He believed that China was more and more, every day, coming to recognize the peaceful intents of Japan, and he did not despair of a cordial understanding upon all burning questions.

questions.

I ventured to say that nothing would do more towards such a result than an assurance from Japan that there was no truth in the rumours that were giving so much disquiet to the Chinese.

The Admiral said he was willing to give it on his own responsibility, and had done so to the Yamên. But if it would serve a good end, he would ask his government to permit him to do so officially and in a formal manner to those of his colleagues who had any interest in the question.

On

On a later occasion, the Admiral called at the Legation, and said his government had instructed him to say that under no circumstances would Japan interfere between China and France, and that she would be drawn into no alliance against China, either directly or indirectly.

I asked the Admiral whether I might convey this message to the Grand Secretary.

The Admiral said there was no harm in doing so, except that he did not wish Japan to appear to deprecate or dread any action China might take. While peace was the honest

wish

wish of Japan, it was not the result of any fear of China.

I appreciated the force of this suggestion.

In a conversation with the Viceroy, I led the way to a discussion of the rumours which form the subject of this despatch.

The Viceroy said, that I well knew the state of his mind towards Japan. That Japan had given no China cause for war, and nothing but his love of peace, which came from a prolonged service as a commander in the army during the Taeping rebellion, had prevented his taking his own way with Japan. That same love of peace

made

made him cling to the hope that diplomacy would enable them to adjust all troubles.

I dwelt upon the fear which I knew had not been without its effect, in the councils of the Yokio Cabinet, that the real purpose of the Chinese military preparations, was under the cover of resisting France suddenly attack Japan. His Excellency could see how such an apprehension might precipitate a result which both nations would have cause to deplore.

His Excellency said that the purpose of assailing Japan at the present time had never entered his mind. He would deal

with

with Japan directly, and he re-
hoped as he before said that di-
diplomacy and patience would
serve both nations better than
war.

It was with much pleasure
that I gave this message to my
Japanese colleague. It would be
a still greater pleasure to feel
entire confidence in the assurances
of these statesmen. I have no
doubt these assurances were
given in sincerity. But one must
remember the curious Oriental
temperament, the temptation
to sudden almost childish
outbreaks, as we have seen in
Tientsin in 1870, and in Canton
in the

the other day. The public temper in both countries is such, that an influence may generate at any moment which no cabinet or no Statesman can control.

I have the honour to be,

Sir,

Your obedient Servant.

For Answer Going.

Postscript.

Since writing and signing the above despatch, I had the honour of a call from Admiral Enomotto. He said he had been directed by the Japanese Foreign Secretary to convey to this Legation a formal expression of gratitude and thanks for having

having used our good offices with the Grand Secretary in bringing about a better understanding between China and Japan. He said, further, what caused me much surprise that French influence had been at work to embroil China with Japan, and he attributed the nullification of those efforts largely to the counsel of the Legation. He himself had been labouring to the same end and the support of the Legation was of the greatest advantage. I said to the Admiral, that I was much honoured with the commendation of the Imperial Government. My Government had only one policy in the East, namely, the independence and prosperity of

China

China and Japan, the best understanding between the two countries, and in their entire avoidance of any quarrel in which they could gain no honour, and merely contribute to the aggrandizement of other powers. His Excellency said with a smile that "Japan would never be the "catspaw of France", or any Western Power. I said that we had the friendliest sentiments toward France and did not wish to interfere in undertakings that did not affect us. France however was great enough to manage her own enterprises, and it was wise for nations like China and Japan, who had important interests to serve, to avoid adventures

which

which would bring only disaster. His Excellency remained for a long time in conversation on this and other themes, and on leaving renewed his acknowledgements and those of his Government for our offices with the Grand Secretary. I trust I may not be disappointed in my hope that there is no chance of war between the two countries and that the assurances of a friendlier feeling may not prove to be an illusion.

Sd.

File

No. 276.

Legation of the United States.

Peking, November 8th, 1883.

DEPARTMENT JAN 9 1884 RECEIVED

John Russell Young to the Secretary of State.

Subject.

Receipt of instructions.

Synopsis.

Instructions numbers 165. 166. 167. 168. and circular of September 1st, have been received.

No. 276.

Legation of the United States.

Peking, November 8th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

I have had the honor to receive your instructions numbers 165. of September 12th, 166. of September 12th, 167. of September 13th, 168. of September 19th, and your circular instruction of September 1st. in regard to transit time between Washington and certain foreign capitals.

I have the honor to be,

Sir, Your obedient servant.

[signature]

Not by mail
File

PRINTED
FOREIGN RELATIONS
1884

No. 277 Two Enclosures

Legation of the United States.

Peking, November 8th, 1883.

DEPARTMENT OF STATE
JAN
9
1884
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Riot at Mentone.

Synopsis.

Gives details of the riot of the 10th of September and of the causes which led to it. Will address the Department further upon the subject at an early day.

No. 277. Two Enclosures.

Legation of the United States.

Peking November 8th, 1883.

Honorable F. T. Frelinghuysen,

Secretary of State.

Sir:

In several recent despatches I have had occasion to refer to a riotous demonstration against foreigners which took place at Canton upon the 10th of September last, and I have now the honor to submit various papers in reference thereto which will place you in possession of all the information

information now in the hands of the Legation upon the subject. These papers
1/277. consist of copies of six despatches received from Her. Consul Seymour,
2/277 and extracts from 4 newspaper reports of the affair.

From these reports you will gather that the immediate cause of the riot was the accidental or intentional drowning of a Chinese by a 4 Portuguese watchman 4 employed on the British steamship "Hankow," but that the feelings of the populace had

had previously been
roused to an intense
degree by the wanton
murder of an innofensive
Chinese by a British
subject named Logan,
while the latter was in
a state of intoxication,
by the release of two of
Logan's companions, and
by the fear that Logan
himself would either be
released or escape with
a trifling punishment.

I shall have occasion
to address you more at
length upon this unfortunate
occurrence within a few
days. In the meantime,

I

I may add that Logan has been tried before a British Court, convicted of manslaughter, and sentenced to seven years imprisonment. The viceroy at Canton and the Foreign Office here have protested against this punishment as inadequate, but, so far as I can learn, without effect. The air is full of rumors of further and more serious disturbances at Canton which, however, cannot be traced to any reliable source. There is much uneasy feeling among the Chinese

Chinese at other ports, and the situation as a whole is far from reassuring.

I have the honor to be,
Sir,
Your obedient servant.

Thos. Russell Young

Enclosures.

1. Mr. Seymour to Mr. Young. Nos. 31. 32. 33. 34. 35. and 37. September 10th - 30th, 1883.
2. Newspaper extracts.

Despatch No. 277.
Enclosure 1.

No. 31.

Mr. Seymour to Mr. Young.

Canton, Sept. 10th 1883. 10. P.M.

Sir,

I have the honour to inform you that the Europeans and Americans, residing in Canton, and on the Shameen, have had an interesting day; during which some lives were lost; and considerable property has been destroyed; amounting in value to about $200,000.00: with incidental damage to business of Steamers and Ships to enough more, to make the total loss about a quarter of a million of dollars.

The immediate cause of the outbreak of the mob was the death of a Chinaman this morning on board the British Steamer "Nankow", caused by the Kicks of a Portuguese Employee (watchman), who killed the Chinaman, or caused him to, roll insensible into

into the water, where (it is commonly alleged) he was drowned; although it is probable the man died of kicks.-

Immediately thereafter the Chinese mob forced the wharf and sheds where the Steamer "Hankow" was moored; and would have set the Steamer on fire if she had not promptly cast off lines, and steamed up the river in front of the Shameen, or European Settlement.

The mob, gathering strength with the excitement of the occasion, forced their way, quickly upon the European Reservation (Shameen), and commencing with the new ice-factory of Mr. Raven, which was soon destroyed, looted or pillaged nearly all of the dwellings and business places, to the number of a dozen valuable buildings, East of the British Consulate and East of Messrs. Russell & Co's Establishment; which was entered by the leaders of the mob; five of whom were

captured

captured while attempting to fire the main building; from which they were ejected in time to save it from destruction. Four of the five captured persons escaped. From Eight o'clock A.M. until after one o'clock P.M. the mob encountered no resistence worth mentioning; - but after five hours of pillage and incendiarism the mobs were interrupted by the Viceroy's soldiers, who are now in possession of the Shamien, and its approaches.

The Steamer "Hankow" instead of proceeding from Canton to Hongkong, has remained in port; as all concerned regarded it Extremely hazardous for the Steamer to carry away the body of the recovered Chinaman, or the person of the Portuguese who caused his death, no one feeling authorized to act for the Portuguese.

This afternoon the body of the murdered Chinaman, was removed from the Steamer; which is still here awaiting

awaiting action in regard to the Portuguese.

In the meantime the ladies and children of nearly all of the foreigners who could reach steamers in port took refuge and still remain thereon; while the citizens of Western Nations, to the number of about fifty persons, are patrolling the Shameen; agreeably with an organization effected at a public meeting in the Canton Club House at five o'clock this evening.

The consular corps, representing the U.S., Great Britain, Germany, France, Denmark, Sweden & Norway, met in the U.S. Consulate at 3 P.M; and acted unitedly in reference to the emergency.

A copy of the despatch adopted by all the Consular officers is appended.

At present matters have apparently quieted down; but with over three millions of Chinese within a radius of six miles; and over six millions within

within a radius of twelve or fifteen miles, the materials are abundant for a continuance or renewal of the deplorable scenes that have been enacted this day in Canton. I just came off my evening patrol; and return to it at 11 A. M.

I can only assure Govt. that whatever may be the result of the present disturbed condition of the Chinese in regard to foreigners, it will be my endeavour to maintain fidelity to American interests and honour; while performing my duties toward all concerned.

Telegraphic communication is broken, and mail facilities are somewhat disturbed; but I will try to get this despatch to you through hands of the U. S. Consul at Hongkong.

I am &c.

(Signed) Charles Seymour.

U. S. Consul.

P. S.

The

The only American citizen who has suffered loss by the Chinese mob's pillage and incendiarism, is E. J. Nolwill, Esquire, Deputy Commiss.r of Imperial Maritime Customs; and to the Extent of about ten thousand dollars

(Sd.) C. S.

Mr. Seymour to Viceroy Chang.

Canton 6 P.M. Sept. 10th, 1883.

Sir,

In drawing Y. E's attention to the lamentable occurrences which have this day resulted in such a destruction of the property, of the citizens of various Western Nations on Shameen, I feel it to be my duty to represent that this destruction is due to the total want of sufficient protection to the foreign settlement; and to the tardy action of the Chinese Authorities in sending a military force for our defense.

I must most urgently impress upon Y. E. the necessity of adopting stringent measures to repress incendiaries and robbers.

I have &c.

(Signed) Charles Seymour.

Orig

Mr. Seymour to Mr. Young.

Canton 7 A.M. Sept. 11th, 1883.

Sir,

It is gratifying to be able to add that everything remained quiet during the night.

The Viceroy's military forces on the Shameen, and Chinese war-vessels in front of the Foreign settlement, with the Citizen's patrol, have effectually squelched, for the present, all tumult.

I am &c.

(Signed) Charles Seymour.

Ans^d

No. 32.

Mr. Seymour to Mr. Young.

Canton, September 17th, 1883.

Sir,

On the 11th inst. it became my duty to inform you in regard to the Canton Riot of 10th inst. and on Saturday 15th inst. I telegraphed to Consul General Denny:-

"Condition Canton Affairs improving.
"Utmost vigilance observed by
"Authorities and foreigners."

I intended the despatch should reach the Consul General as early as possible after the riot occurred; and that my telegram should overtake the despatch at Shanghai; so the Consul General could give you the report complete for the week.

To day the Viceroy, visit Interpreter and five of his highest officials, visited the Consulates, giving gratifying assurances of vigilence in maintaining

ing

ing order and giving security to foreigners.

The Hambui or Chief Magistrate called at this Consulate Saturday.

The three leading Colonels (of Viceroy, Tartar General, and of Canton Guard) were also here last week. Several other officials called.

The interviews at this Consulate with the Chinese authorities have been of the most satisfactory and friendly character.

During the riot the movements of the authorities seemed very slow; but with due allowance for the suddenness of the riot; the time required in communicating with, gathering, and consolidating the military forces; and the difficulties of moving large bodies of soldiers through narrow and crowded streets; I am strongly inclined to accord to the Chinese Authorities merited credit for reasonable promptitude; and undoubted sincerity of purpose on their part, to throw all possible security around foreigners.

I am &c.

(Signed) Charles Seymour
U. S. Consul.

No. 33.

Mr Seymour to Mr Young.

Canton. Saturday Evening.
Sept. 22nd, 1883.

Sir,

I have the honour, in continuation of my reports in regard to the Canton riots, to say that at present everything remains quiet; with Chinese soldiers occupying "Shameen" (The European and American, or Foreign Reservation); and Gunboats in front of us; and considerable stir connected with the trial of Legan, the Ex Custom House Officer charged with shooting and killing the Chinese boy in Henam portion of Canton on Sunday morning 12th August. Chief Justice Sir R. Kennie, came here, and opened Court Thursday 20th inst. Preliminary proceedings only occurred, with assignment of Counsel for accused; and the Court adjourned to Tuesday, 25th Sept., when the

the trial of Logan will proceed.

In the meantime the Portuguese who was accused of killing the Chinaman on St. Hankow, on the morning of Monday, 10th inst., is on board the Portuguese war vessel in port of Canton.

The results of these trials may create dissatisfaction among the Chinese; and cause another disturbance. I am inclined to think no European jury can be found to convict Logan. The reluctance of Chinese to appear as witnesses almost released Logan at the outset of the Examination. They are the Strangest witnesses in the world. The woman, who was wounded by a shot from Logan's revolver, could not give any definite testimony; but merely shrieked in the British Consular Court "Torture "him - Torture him - He will confess "it - Torture him."

I cannot understand how or

why

why the Nankow Steamer Watchman, who caused the riot of 10th instant, is on board of a Portuguese war vessel; except that the British Consul refused to touch him.

Although a Portuguese, he was on the articles of a British Steamer; and I took the position, in meetings of the Consular Corps on Monday, 10th and Tuesday 11th inst., that the Captain of the "Nankow" had a right to place the Portuguese in hands of the British Consul; and, furthermore, asked if the Portuguese could be tried by foreigners at all, while Portugal holds no treaty relations with China, in what respect could Britons, Germans, Frenchmen, and Americans stand on better footing, with treaties between their Governments and China, than Portuguese, whose Government has no treaty with China.

The French Consul, on a verbal request of some Portuguese official in Macao, while visiting that place

last

last month, assumed to take charge of the Portuguese, and placed him in charge of a Portuguese war vessel that came into port after the riot.

I do not believe the Chinese (either authorities or populace) will quietly consent that either the French Consul, acting for a nation which has no jurisdiction of Extra territoriality in China; or any Portuguese official in China or Portuguese territority, shall try that man; — and if he is carried off by the Portuguese war vessel to Macao, or elsewhere, there will be another disturbance.

The Chinese will doubtless be willing that the British Consular and Judicial Officers shall take the responsibility of the trial, with its consequences.

It is probable that as soon as these trials are over, the Chinese

Soldiers

soldiers will be withdrawn from Shameen - say by the end of this month.

Proclamations of a very decisive nature have been issued and exposed by the Prefecture of Kwang Chow fu in Canton; and even the Viceroy will issue one of a former character.

The Nanhoi and Prefect have, by desire of the Viceroy, asked the Foreign Consuls to join them in visiting the ruins of the property destroyed; and we shall probably thus confer together on Saturday 29th inst.

In the meantime, Extravagant, unreasonable, and thoroughly disgraceful and Exaggerated claims, or pretensions to claims, are being pressed upon public attention; and I cannot regard some of these claims for losses as anything short of attempt at robbery. The Hong-

Kong

Kong papers keep the statements before the public that the U.S. Consul at Canton has estimated the losses sustained in the riot of Monday Sept: 10th 1883 at about a quarter of a million of dollars; while the other Consuls estimate the losses at from a million to a million and a half of dollars.

I still believe a quarter of a million of dollars will not be far from the actual loss.

The Chinese Press in Hong Kong has been urging the natives to go on with their work against foreigners. The English press in Hong Kong has not been judicious or scrupulous in dealing with the facts.

While the Consuls have maintained a good degree of unanimity of action, I have deemed it my duty to abstain from rasping and irritating the Chinese officials, who seem to have evinced a commendable

commendable purpose to exercise vigilance; with as much fidelity as their means for the suppression of formidable outrages would permit.

I have therefore abstained from manifesting any distrust of purpose or ability of Chinese Authorities, to throw all needful security around foreigners; by making mobs odious; by arresting many wretches implicated in the riot, who will, doubtless, receive severe punishment; and by degrading numerous officials for not meeting the emergency more promptly and efficiently; - and also by giving foreigners, through their Consuls, as well as through proclamations, assurances of well directed efforts to promote their safety.

The riot of August 12th & 13th was really more dangerous than that of Sept. 10th because the provocation was greater, and popular indignation

stronger

stronger; but it was so effectually strangled by the prompt action of Consuls and Viceroy and Authorities, that, it did not get organized into operation.

The U.S. Consulate in Canton has been throughout the entire affair, anything but a gloomy place. - Without reference to nationalities or denominations, foreign residents, have visited the hospitality of the U.S. Consulate, which was well filled by disturbed Missionaries and their families.

During the week now closing - several American visitors of high respectability have visited Canton, and found Cheerful welcome; and they have been conducted in safety by their Consul, without resorting to "guide"; in and about interesting parts of Canton, on both sides of the River.-

The Chinese Authorities (Viceroy in fact) have had solicitor Evans

and

and barrister Francis of Hong Kong to look after Chinese interests in the trials; and they will continue their best efforts to secure straight proceedings in court. Both of those gentlemen, and the wife of one of them, are guests of the U.S. Consul, strictly on the score of personal courtesy.

It is alleged by some Hong Kong newspaper correspondents, as well as by many Europeans in Hong Kong and Canton, that the U.S. Consul at Canton and the Viceroy and Chinese officials are altogether too friendly.

I am glad to say they do keep up good feelings; while there have been, in some quarters, gloom and distrust. Your Excellency can very easily verify the facts through official channels.

There have been attempts to worry and drive the Viceroy by dictatorial despatches, but I have felt the true policy of the Consuls is to throw the responsibility upon the Chinese

authorities

authorities; and accept their assurances of a sincere purpose and vigorous efforts to protect foreigners, while acting to that end.

Those, too, who contemplate making the Chinese Government pay indemnity for four or six times the actual amount of losses, regard any man who is prepared to resist robbery of this kind, as an enemy.

Time will test the wisdom and fairness of these different policies; and I will cheerfully submit to the judgement of fair-minded men, when the excitement and turbulence of the serious Emergency at Canton shall have given way to reason and justice.

In the meantime, I shall remain at my post of duty; and not avail myself of the leave of absence "for sixty days" kindly granted to me by the State Department.

I am &c. —

(Signed) Charles Seymour

U. S. Consul.

Orig

No. 34.

Mr. Seymour to Mr. Young.

Canton, Sept. 29th, 1883.

Sir,

I have the honour to inform you that the trial of Logan by the Chief Justice, Rennie, and a jury of five British residents, ended by a verdict of manslaughter, and sentence of seven years of penal servitude.

The jury was composed of five unobjectionable citizens.

The prosecution was very feebly conducted by Brown Advocate Wilkinson, of Shanghai, who would not permit either of the able lawyers employed by the Chinese Authorities to plead in court. A more unfit or less qualified man for a prosecuting attorney, could scarcely have been found.

Great and general dissatisfaction prevails among Chinese Authorities, officials and people.

In the meantime the Portuguese watchman from British Steamer "Nankow"

"Nankow" is on board the Portuguese
war ship "Tamega".

I do not know how the Chinese people
can be prevented from making it more
difficult than ever for the Chinese
officials or authorities to maintain
order and tranquility. Indications
of a rebellious spirit among the people
are strong. I think the Viceroy has his
hands full just now.

About 700 Chinese Soldiers yet
guard Shamien; and several war
vessels are in front of the foreign Settle-
ment. The "Palos" is here also.

Notwithstanding, the intensity
of hard feelings among Chinese, against
foreigners, I do not think there will be
any immediate disturbance.

Sam Yee.—

(Signed) Charles Seymour.
U. S. Consul.

No. 35.

Mr. Seymour to Mr. Young.

Canton Sept. 30th, 1883.

Sir,

I have the honour to state that the condition of affairs in Canton has not improved for the past two days; but, on the contrary the feeling of dissatisfaction and uneasiness has widened and intensified; until the insecurity of the lives and property of foreigners has resulted in almost an entire suspension of intercourse between the City, or its interior, and Shamien.

The Viceroy and all of the better Classes of Chinese express the hope that a new trial of Logan may be had; and receive, with solemnity and perplexity, the assurance that British laws do not permit a second trial of a person acquitted of the charge of murder.

Placards were yesterday morning placed on the walls of the

Viceroys'

Viceroys Yamên, urging the annihilation of foreigners, and destruction of their property.

The Viceroys Interpreter (and junior or second Magistrate) who visited the Consulates yesterday afternoon, cannot pass back and forth through the city without submitting to indignities.

In fact, there seems a prevalent spirit of turbulence; which may take the form of defiance against Chinese authorities and officials.-

The Custom House officers, who dwell on the Honam or Southern side of Canton, were yesterday evening, at the instigation of the Viceroy, for prudential reasons, brought to the foreign Hong for the greater security of both officials and Custom House.

It was thought, by the Commanders of the war vessels in port, proper that, in order to prevent the possibility of confusion, and to avoid the hazard of friends coming into collision by accident

accident or through misunderstanding, there should be some clear and well defined plan of operations for defense of Shamein, by the Marine forces; - in the contingency or event of another outbreak.

The result of their deliberations will be found in enclosed copy of a letter addressed by them to the Consuls.

As their plan of operations contemplates the immediate barricade or destruction of the North Bridge between Shamein, and the City, across the Canal, I deemed it my duty to note in writing, on the envelope of that document, - which was passed among the - Consuls, and submitted to the President and Members of the Municipal Council of Shamein, and by that President to a meeting of foreign residents held last evening in the Canton Club House - "Seen by Charles Seymour, U. S. Consul, "and disapproved unless outbreak - "occurs; and in that Event it seems "right

"night."

As "Senior Consul" it became my duty to confer with the British Commanders, on whom I called this morning, in company with the Lieutenant Commander, Glidden, of the U.S.S. "Palos"; and reported to Commander (Acting) Tisdall, of H.B.M. Ship "Swift", the views of the Consuls; and the action of the foreign residents meeting; and consideration of the President and members of the Municipal Council of Shamien.

A Military Company composed of foreign residents in Shamien had been enrolled, and organized, and placed under the command of Baron Von Kettler who was the only man on Shamien who had been in actual military service - he having been an officer of German Prussian Cavalry. This Company performs patrol duty; and is charged with the

the safe conveyance of the families of residents to Ships in port in Event of disturbance; and co-operation with the Military and Naval forces employed for the security of the foreign community.

About seven hundred of the Viceroy's soldiers still occupy Shameen; and their conduct has been remarkable for good order, cleanliness, and tranquility.

Among the foreigners there are some very hot headed and injudicious persons who seem disposed to utterly ignore Chinese protection, as unreliable and valueless; and desire to assume the responsibility of self defense, without any regard to securing co-operation of Chinese authorities or their soldiers.

Print (Among the Consular Corps, our greatest obstacle to unitedly prudent and courteous action is the German Consul, Dr. von Möllendorff, who seems to be intensely prejudiced against

against, or distrustful of Chinese authorities or protection. He is so determinedly opposed to any action which implies respect for Chinese aid and comfort, that he may be said to be the Consular champion of the hot-headed foreigners who are disposed to virtually release the Viceroy from responsibility for the safety of the foreign community.

Begin However, after carefully consulting the Consular Corps, I have endeavoured to impress upon the commanders of the British and American forces in Port, the necessity of keeping closely in line and harmony with their Consuls; and not to be misled into compliance with the hazardous policy of those who might, if allowed to have their way, commit acts which would be accepted by the Chinese authorities, as absolving them from further responsibility in protecting the lives

and

and property of foreigners in Canton, and give the Viceroy a pretext for withdrawal of his soldiers; and, perhaps, impair the validity of the claims of foreigners for indemnity, in the event of further disturbances, and losses of property.

This point is, I believe, duly appreciated by the British, French, Swedish and U. S. Consuls; and by the British and American Commanders of "Men of War in port". It is certainly an important point.

Among my guests are Mr. Gilder, Correspondent of the N. Y. Herald, and formerly in the "Jeanette" Arctic Expedition; and Mr. J. A. Cameron, Correspondent of the London Standard, formerly in India and Africa.

Both of these gentlemen, having devoted much attention to the Tonquin and Annam troubles, between China and France, are deeply impressed by the complications in which Canton troubles

troubles or problems are involved;
and attribute much of existing
disturbance among the Chinese in
and about Canton to the France
Chinese difficulties.

It is certain that many of the
Chinese in Canton are removing
their valuables and families to
places in the interior for safety;
in view of what they regard as
peril from foreign war vessels and
the approaching French war fleet.

I am &c

(Signed) Charles Seymour
U. S. Consul.

Encl

H.M.S. "Swift" at
Canton, 29th Sept., 1883.

Gentlemen,

At a meeting held on board H.M.S. "Swift" this day, of the Commanders of the men of war in port, it has been decided that in case of an outbreak in the Settlement, the following disposition of the Forces at our command, will be made.

1st. We consider it imperative that the North Bridge be either efficiently blocked up, or so far destroyed, as to prevent access to the Island; this should be at once undertaken by the proper authorities

2nd. The crews of the "Swift" and "Esperia" will defend the whole of the Bund from the North Bridge round by, and including the East Bridge, to a point opposite the North Bridge.

The crews of the "Tamega" and "Lutin" will defend the Bund from the North Bridge to the Westward as far as, and including the

the Boat Shed.

The crew of the "Palos" will patrol the Southern part of the Bund from the Boat house to the Eastward as far as the British Consular Steps.

3rd We propose the Municipal Council be invited to indicate some central place where the Armed portion of the Community could rendezvous.

We have &c &c

(Signed) J. A. Tisdall. Com.r H. M. S. "Swift"

(") Francis Eugene Cabelre

Com.r H. M. I. S. "Famega"

(") L. Debar Lieut.t de Vaisseau

"Lulin"

(") Geo. O. B. Glidden Lieut.t Com.r

H. S. S. "Palos"

(") Edward N. Gamble Lieut.t, Com.r

"Espoir"

To the

Respective Consuls.

Shameen.

No: 37. Civil

Mr: Seymour to Mr: Young.

October, 20th, 1883.

Sir,

I have the honour, in continuation of my reports upon the condition of affairs at Canton, to state that matters have been quiet since the date of my last despatch dated 30th Sept.; and with evident improvement, as to the control of the populace by the Viceroy, or Chinese Authorities; who now have ten thousand soldiers in Canton; and other forces within reach, if needed.

Many of the worst wretches, who instigated and participated in the riots of August and September, fled to H'Kong per Steamer as soon as possible after the riot of Sept: 10th.; and their arrival in that city occasioned much anxiety among its residents, as noted in the unfavourable comments of the Hong Kong papers; and rumours of contemplated outrages.

Many

Many desperate villains were taken off the streets of Canton, and imprisoned. No severities have been inflicted upon such prisoners, as a punishment, probably on account of the danger attending severe measures of that nature, while foreigners accused of murdering Chinese were alive; and while it was doubtful whether the authorities could control an exasperated mob, if the popular disapproval of severe punishment of Chinese, in the face of unpunished foreigners, should assume violent manifestation. The dissatisfaction among all classes of Chinese, from the Viceroy down to the lowest Coolie, about the mildness of punishment for Logan, the murderer, who was so feebly prosecuted as to render his conviction for any crime a surprise, has not diminished; and his removal, from Canton to Hong Kong, to enter upon his seven years of imprisonment, it is feared by many, will

will be followed by pardon.

But, while much feeling of indignation regarding the feeble and flimsy prosecution and light punishment of Logan, prevailed; there has been much uneasiness about Dias, the Portuguese who caused the death, as is alleged and believed, of the Chinaman on or from the Steamer "Hankow" — (sailing between Canton and Hong Kong under the British flag, with Dias employed as watchman); as he has been kept for five weeks on board the Portuguese war Steamer "Tamega" in Canton Harbor; where he was placed, at the request of the French Consul who acted for Portuguese Authorities of Macao, by the British Consul.

If the British Consul had sent a constable to the Steamer Hankow, early on the morning of Monday Sept.r 10.th and arrested Dias, and placed him in the jail of the British Consulate, and notified the public that Dias would be tried by the proper Authorities, — possibly the riot of that day might

have

have been, measureably arrested; —
but after this strange omission,
the British Consul positively declined to
touch Dias; until, finally, he took him,
at request of the French Consul, and
placed him in the custody of a Portuguese
"Man of War".

Correspondence between the Chinese
and Portuguese officials could not get
Dias into any tribunal here; and, at
last, the Commander of the Portuguese
Steamer "Tamega", at four o'clock P.M.
on Thursday 18th. inst., sent through the
French Consul, a despatch to the Viceroy,
with a communication from the Governor
of Macao, to the effect that international
law requires the trial of Dias at Macao,
and that agreeably with instructions of
the Imperial Government of Portugal,
the "Tamega" would remove Dias from
Canton to Macao.

At about five o'clock A.M. or about
daylight on the following day, Friday,
19th inst., the "Tamega" left Canton for
Macao;

Macao; and while the Viceroy was preparing a remonstrance against Dias' removal from Chinese and British jurisdiction, the "Tamega," with Dias, went to Macao.

The presence of two British gunboats "Swift" and "Esperi"; one German war vessel "Ilis"; one U.S.S. "Juniata"; and several Chinese war vessels; in Port; and a strong force of soldiers in the city; with about 500 soldiers guarding Shameen; restrains the populace from giving vent to an outburst of wrath, consequent upon the inexplicable process, by which the Portuguese Dias, accused of crime committed on a British Steamer in a Chinese Port, is conveyed away, by the war vessel of a Nation holding no treaty relations with China.

Whatever may be said of the Portuguese for thus getting one of their countrymen out of Chinese jurisdiction; I am puzzled to comprehend the pretext upon

upon which can be based justification of the action of the Consuls of other Nations holding treaty relations with China, in transferring, or avoiding in the transfer, of the accused Dias to Portuguese territory and jurisdiction.

Security for the lives and property of foreigners in China cannot be maintained upon any such policy, or basis of action, in regard to the treatment of foreigners under accusations of crimes against Chinese; and if such acts are to be sanctioned, or permitted, or countenanced by foreign Powers; those foreigners who accept to reside in China will have to pay the penalties prescribed by the mobs. End.

Omit/ The pleasant anticipations of your visit to Canton at an early day are upset by the tidings of your return from Shanghai to the North; but I may, perhaps, be pardoned for intimating to you the declared purpose of the Viceroy to express his appreciation of your

friendly

friendly services & influence, by having you as his guest on some convenient occasion during your visit to Canton.

He has, both at this Consulate, and at his Yamên, spoken of you in terms of high respect; and to-day upon my informal request granted an interview to Col.l Gilder (the first visitor received since the riot) after declining to receive a distinguished friend, a Prince from near Singapore, under the auspices of the British Consul.

Confidential.

I am &c.—

(Signed) Charles Seymour
U. S. Consul.

The Shanghai Courier.

Wednesday, 12th September, 1883.

Mint.

Despatch No. 277.
Enclosure 2.

THE RIOT AT CANTON.

In last night's *Courier* we mentioned that a telegram had been received just before we went to press stating that the riot had its origin in the death of a coolie alleged to have been pushed off the wharf at which the steamer *Hankow* was loading. The following is the telegram to which we referred. It was communicated to the *North-China Daily News* last night, but not *officially*:—

Hongkong, 11th Sept.

Shortly before the hour at which the *Hankow* was timed to leave Canton for Hongkong yesterday morning, eight o'clock, a Chinese coolie either fell or was pushed into the water and drowned at or near the wharf. The Chinese, eager to obtain a pretext for an attack on foreigners, accused, whether rightly or wrongly we do not know, a watchman on board the *Hankow* of having caused the deceased's death, and they flung the dead body on board the steamer. What followed immediately afterwards is not known, but as the *Hankow* cast off her moorings, the Chinese who crowded the wharf in hundreds commenced to throw bricks. The *Hankow* was soon out of the range, and the mob then devoted itself to the destruction of a steam-launch belonging to Captain Ogston of the *Hankow*, which was lying on the wharf getting repainted. They also started to destroy the wharf itself. This they accomplished by setting fire to it. A number of Chinese soldiers now appeared on the scene, and, judging by their movements, attempted to pacify the crowd, who however soon forced the soldiers to retreat by pelting them with stones. Passing by the Customs shed, the mob next entered the Shameen, and at once set to work to destroy the house occupied by the Junior Mess of the firm of Messrs. Thomas, Rowe, Smith and Co., lately Vogel's, by setting fire to it. This was the first house attacked. We have not heard whether or not the Europeans offered any resistance, but Captain Goggin says so far as he has heard no personal violence was offered to the Europeans by the mob. It is more than likely that some slight resistance was made; one thing is certain, however, and that is that the resistance was insufficient to keep the mob in check. After dealing with Messrs. Rowe's premises they burned and looted the houses of Mr. W. A. L. Sanders, Imperial Customs Examiner, Mr. Laut, Mr. E. T. Holwill, Deputy Commissioner of Customs outdoor staff, Dr. Wales of the Customs, Mr. Reid, Reverend J. Grundy, and the house of another gentleman. The premises of the London Mission were completely sacked, as were also the premises belonging to Messrs. Russell & Co. Things latterly became so serious that the Consuls ordered the European community to abandon the Concession, and at 10 o'clock the flags were hauled down from the various Consulates. Captain Goggin, on seeing the state of affairs, got up steam and went over to the Honam side. After staying there a short time he anchored off the Shameen with the object of being able to render any assistance he could. He remained until a quarter-past two yesterday afternoon, when Dr. Hance, the Acting British Consul at Canton, sent him off to Hongkong with despatches to the Commodore for assistance. Owing to the severity of the weather he had to anchor for several hours between the Two Brothers and Cap-sing-moon. The only passenger he brought down was Mrs. Pearce, wife of the Rev. T. W. Pearce. The greater number of the community are quartered on board the *Ningpo*, but there are also some on board the *Hankow* and the Chinese gunboat *Sui Ching*. Immediately on receiving the despatches, Commodore Cuming ordered the gunboats *Swift* and *Espoir* to proceed to Canton with all haste, and these two vessels left the harbour about half-past eight this morning. Captain Goggin says no one has been killed, but several of the foreign officers of the Customs have been slightly injured. The Chinese authorities say they have called out 3,000 troops to quell the disturbance and preserve order. An attempt was made to telegraph the information to Hongkong, but this could not be done owing to the wires having been blown down.

Hongkong, 11th Sept., 9.20 p.m.

Before the *Hankow* left Canton yesterday morning a number of coolies brought the body of a coolie on board who was alleged to have been pushed overboard by the *Hankow's* watchman. The mob pelted the steamer with stones. The vessel then left. The mob then proceeded to loot Shameen. They burned the following houses and residences:—Messrs. Thomas, Rowe & Smith's mess, Dr. Wales', Rev. J. Grundy's, the Ice House, the Concordia, E. A. Raven's, Pustau & Co.'s, Rauscher's, Holwill's, Reid's, Saunders, and Lamont's. Russell's, Pearce's and Eeichler's premises looted. Three Chinese were killed and one foreigner wounded. The Consuls hauled down their flags and ordered their nationals to abandon the Concession. They did so, and took refuge on board the steamers in port. Two English gunboats have gone to Canton. The latest news is that all is now quiet at Canton.—*Daily News.*

The Shanghai Courier.

Tuesday, 18th September, 1883.

THE RIOT AT CANTON.

FULL PARTICULARS.

We take the following from the *Hongkong Daily Press*:—The anti-foreign spirit which has latterly been developing itself in Canton, growing partly out of the unfortunate shooting affray at Honam, has, we regret to learn, come to a most disastrous climax by the aid of another lamentable collision with natives. From information brought down by the steamer *Kiungchow*, it appears that on Monday morning, the 11th inst., just before the steamer *Hankow's* time of departure the dead body of a Chinaman was brought on board, the persons bringing it declaring that the man had been killed by a watchman on board the steamer and demanding justice. The Chinaman killed was a young boarding house runner named Afung, nineteen years of age, who was employed by the Tung On Chan boarding house situated in the Yow Lan Mun, which establishment has a branch in this colony at 69, Praya Central. He went on board the *Hankow*, as the Chinese say, not from the wharf side, but the outer side of the boat, at five o'clock on Monday morning to engage passages for a number of boarders at his house who intended coming down to Hongkong. He was met by the watchman, said to be a Portuguese, who told him he had come too early, and ordered him off. The young man seemed not disposed to go, and then the watchman gave him a push or a kick, and knocked him overboard, so that he fell between the steamer and some boats and was drowned. The body was not recovered until some time afterwards, when the Chinese took it on board as already stated. This information was given us in the colony on Tuesday afternoon as the Chinese version of the cause of the outbreak, and the accounts of people on the spot seem to show that it is substantially correct. We also learn from the same source that the Chinese acquainted the magistrate of the district at once of what had taken place, and after holding a hurried provisional inquiry, this official went on board the *Hankow*, and demanded that Capt. Ogston should give up to him the man who had kicked the deceased overboard. This Capt. Ogston refused to do, and then the magistrate left. A vast crowd had by this time assembled on the wharf and around its approaches, and they clamorously took up the demand of their magistrate, and finally became highly excited and threatening. They made an attempt to board the steamer, but were repelled, and then they began to throw bricks and other missiles on board, so that it was deemed advisable to move the vessel out of reach.

The crowd fast increased in numbers and temerity, and the steamer having got out of reach they set fire to the wharf, which was destroyed, together with a steam launch belonging to Captain Ogston, which was lying on the wharf at the time. News of the riotous proceedings having reached the officials a body of soldiers were sent to the scene, but they proved quite insufficient to control the mob, who pelted them with stones and drove them off. The rioters, having looted a kerosine store near by, then proceeded to Shameen and attacked the foreign residences, of which thirteen were burned down and some others looted. Fortunately no lives were lost, nor, so far as we can ascertain, were any of the foreigners much injured. At ten o'clock the foreign Consuls, seeing the serious position of affairs, hauled down their flags. Later on the foreign community seem to have made some stand against the mob, and to have beaten them back, and the work of destruction came to an end for the time. Some foreign residents took refuge on board the steamer *Ningpo*, others on the Chinese gunboat *Sui Tsing*, and others on the steamboat *Hankow*. The latter vessel stood by to see the issue of the affair, and when matters became serious, Captain Ogston, at the request of the British Consul and the community, consented to remain for the day. As the *Honam* was leaving on Tuesday it was considered unnecessary to run the *Hankow* also. The watchman was in custody on board the *Hankow*, but it was expected he would be transferred to one of the gunboat as soon as they arrived. It appears a complication arose owing to the nationality of the man. As he is a Portuguese the British Consul refused to have anything to do with him. The French Consul, who acts also for the Portuguese, was willing to take the responsibility of the man's custody if the British Consul would place the British Gaol at his disposal for that purpose, but this also the British Consul declined to accede to. It was therefore arranged that the man should be detained on the *Hankow* for the time being.

The foreign residents, not having the smallest idea of anything threatening, were utterly unprepared. The day before they had been moving about the place as usual; they had a picnic in a place much used for the purpose, and the natives behaved well. It is probable that this unfortunate occurrence on board the *Hankow* served to revive the recollection and excitement caused by the recent shooting affray, and the criminal classes used this excitement as a lever to help them to a grand looting, so that the attack on the Shameen was partly from motives of revenge, urged on by crowds of rowdies always to be found among the lower classes of Chinese, whose chief object was plunder and mischief. They seem to have been a huge crowd composed of contemptible materials—boys and roughs—who would have been easily driven back from Shameen had there been only a small force of the residents collected to repel them. During the forenoon a number of gentlemen, mostly Germans, collected together, and being armed with about ten rifles, another ten or so being armed with swords, turned out upon the rabble, who cleared off like smoke before the wind, scrambling through the creek into the town, not waiting for this small band to come to close quarters with them. The Chinese authorities, as usual, appear to have been either most incapable or most inert in the matter, for the mob worked their own sweet will unchecked, until this stand was made, and that really put an end to the depredations. If the stand had been made before, the loss would probably have been prevented, but everyone was unprepared, and flight was more thought of than resistance at the time. Some had not risen from bed, amongst them being some ladies, one of whom had a very narrow escape from the Chinese. She was hastily roused from bed, caught up her child, hurriedly threw on a garment or two, and then sallied forth for the boats. She was chased by some Chinese and only just got into the boat in time. Other ladies got on board the steamers under almost equally hazardous circumstances; from the houses destroyed or looted, several had but a few garments hastily thrown on, but happily all got on board the steamers safely. One lady who arrived by the steamer *Kiungchow* yesterday morning with an infant only a few weeks old was simply in her dressing gown and the child in its night clothes. Another lady was in her bath when the alarm was given, and she also had only time to slip on a dressing gown. The Rev. J. Grundy had arrived from up-country early the same morning, and having had his things taken up to the house, went across to the London Mission to visit his friends there. The mob arrived in the meantime, and while Mr. Grundy was assisting the ladies

of the London Mission to the steamer, his own house was fired, and he came down to Hongkong yesterday with nothing but the clothes he stood in. The only case of injury to the person of any European we have heard of was that of Mr. Schruyter, shipping clerk to Messrs. Siemssen & Co. at Canton, who received some small shot wounds, which are believed to have been fired by one of the Chinese troops, who are said to have been more in sympathy with the rabble than with the Europeans. There is a strong feeling among the sufferers that they have not been fairly treated by the British authorities in leaving them utterly unprotected after the uneasiness caused by the late fatal shooting affair.

After the Settlement was cleared, the Chinese troops arrived in great number, and formed a large camp on the Bund. The residents also formed a defence corps in the evening, which divided into three to take alternative watches of three hours each in patrolling the place. On Shameen everything remained quiet afterwards until the *Honam* left yesterday morning.

The steamer *Kiungchow* was sent down by the British Consul about half-past two on Monday afternoon with a hurried letter to the Commodore asking for assistance, the telegraph unfortunately not being available owing to the wires having been blown down by the high wind. The Commodore promptly responded by despatching the gunboats *Swift* and *Espoir*, which left here at half-past eight yesterday morning. The force of marines on board the *Victor Emanuel* was put on board the gunboats so as to increase the strength of the men. Yesterday afternoon the French gunboat *Lutin* also left here for Canton.

In stating in our extra yesterday morning that Messrs. Russell & Co.'s premises had been destroyed by fire, we were misinformed. The house was looted, and the Chinese were pouring kerosine on the floor to burn it when the force of residents just came up in time to stop them, seizing a man in *flagrante delicto*. The list of houses burnt includes the Concordia Club, entirely destroyed. Mr. Reid's bungalow, the premises of the London Mission, Messrs. Pustau & Co.'s premises, Messrs. Thomas, Smith, Rowe & Co.'s junior mess, Rev. J. Grundy's house, Dr. Wales's house, the newly-started ice house and Mr. Raven's residence, Mr. Rocher's premises, those of Mr. W. A. F. Sanders, Mr. Lamont, Mr. Remusat's, the Old Pustau Hong, the Engine House and Police Station, the Silk Condition House, and the house of Mr. Holwill, Deputy Commissioner of Customs. The houses of Captain Drewes and Mr. Gunther, the Harbour Master, were also stripped. The old Club House was destroyed, and one of the steamer wharves.

The *Honam*, Captain Benning, arrived here at about three in the afternoon, and hence we have obtained much additional information. On the way up to Canton, Capt. Benning informs us, he met the *Kiungchow*, and learned from Capt. Goggin something of the state of affairs at Canton, and in consequence he anchored his boat off Shameen. At the time he arrived the thirteen houses which the incendiaries had ignited were still blazing, but the riot on Shameen was of course at an end. The rabble about the place appeared to have been a riot of boys and roughs to which he thinks no political importance is to be attached. The steamer brought down about thirty Europeans who have been burned out of house and home, or who were otherwise bound to this colony, besides some 900 Chinese passengers, and about the usual cargo. While the vessel was lying off Shameen, she was largely used by the refugees from shore—the ladies and children, who were removed from the *Ningpo*. At the time she left there were large numbers of Chinese troops on Shameen, which was also being patrolled by the Europeans. The roughs were cleared out, and confidence was so far restored that most of those who had a home to go to went back. Capt. Benning tells us that Mr. Masters and his family took refuge in a Chinese house during the outbreak, where they were kept concealed, and afterwards came on board the *Honam*.

On board the *Honam* we were favoured with the following particulars from a gentleman who resided on Dutch Folly, and who has been deprived of his home, so that he and his family have been driven here for shelter. At about eleven on Monday morning this gentleman's cook gave notice in the house that there was a Chinese disturbance at the Hongkong steamer wharf, and that they were in danger of being attacked. Capt. Calder, of the Chinese Imperial Customs, who lived in the same place, sent a boat off to the house shortly after, and two boats to the Presbyterian Mission House, to take all the families on board the *Ningpo*. They went on board and from thence went to the *Honam*. About six Chinese gunboats arrived off Shameen, and lay there during the day. He heard it stated that when Capt. Ogston refused to give up the Portuguese watchman, the crowd threatened to burn the steamer if the demand was not complied with, and they attempted to do so. When the steamer was got out of their reach, they made an effort to discover who the agent was, and finding Messrs. Russell & Co. were the agents, they made for the premises of that firm, but on reaching Shameen attacked the houses they came to indiscriminately.

Another passenger by the *Honam*, a gentleman named Monteith, who is on his way to Calcutta, also favoured us with some particulars. This gentleman first heard of the affair by seeing the corpse of the dead Chinaman when he went on board the *Hankow* at about 8.25 a.m. on Monday, and he was told the man had been pushed overboard at about five o'clock by some one on board the steamer. Immediately after this a crowd assembled on the wharf and commenced throwing brickbats at the steamer, and Mr. Monteith was advised by the officers to go to the upper part of the steamer for safety. He did not see the Chinese attempt to set fire to the steamer but as soon as it was taken out of their reach they fired the wharf, and it was destroyed very quickly. The steamer went off Shameen, and the next thing he noticed was a heavy smoke, and he was told that the ice house had been fired. After ten o'clock he could see there was evidently cause for alarm in the Settlement, for the people there were hurriedly getting their books or valuables off to the steamer. A little later on he saw the flag on the British Consulate lowered, and then that of the German Consulate; the French flag next followed suit, the American Consul's flag remaining flying for some time after, until Messrs. Russell & Co.'s premises were attacked. At about one o'clock the German Consul sent for assistance on board the ships, as the Chinese Mandarin was unable to get through the crowd, so that they might effect a junction with the Mandarin from Shameen side. A force was organised which met the Chinese troops at the bridge, having effected the junction under the cover of the smoke of the burning buildings. The mob was then cleared off, and the place remained quiet, guarded by the Chinese troops and the residents. The corpse of the drowned Chinaman remained on board the *Hankow* until about five o'clock in the evening, when the Mandarin caused it to be taken ashore in a small sampan.

Mr. D. W. Schwemann, of Messrs. Siemssen & Co., was present during the greater part of the trouble ashore, and he has kindly supplied us with the following narrative:—On Monday morning at about 7.30, I was about leaving our house to go on board the *Hankow* for Hongkong when a Chinaman came and told our manager that "another killing affair" had happened, a man having been thrown overboard from the *Hankow* by a Portuguese watchman. I went on board at once to escape any disturbance which the Chinamen seemed to anticipate. As I got near the wharf I found a great crowd assembled, but they were quiet, and did not interfere with me excepting that one man threw a stone which did not hurt me. Mr. Hermann, of Messrs. Gaupp & Co., also came on board a little later with a friend with

equal safety. His friend had to go ashore again, but then the crowd had become so threatening that he could not venture upon the wharf, so got on board a Customs boat on the other side of the steamer. The crowd commenced throwing missiles, and the steamer was got away from the wharf, and swung round on her cable, so as to get her In doing so an anchor was lost, and I was told that a number of men in large boats had made an attempt to board the after part of the boat, but were driven back, but this I did not see as I was on the fore part with the captain. Captain Ogston behaved with remarkable coolness throughout this disturbance, and I could not but admire the calm way he acted. An order had been received from the British Consul that the boat was to remain until the body had been taken by the Chinese authorities, and we went up the river to Shameen, and anchored so close to the shore as to be within hail of the German Consulate. The Viceroy sent on board for the body at five o'clock, and it was removed in a small boat, whilst the watchman charged with his death was made a prisoner on board the boat, and remained so until I left. I was informed that after the Chinese fired the wharf, they went in a body to the Custom House with the intention of storming it, but as they found a number of Customs officers well armed and ready to receive them, they changed their minds, and rushed on to Shameen.—Mr. Schwemann here went on to speak of what occurred in the first part of the attack on Shameen, but we will not give that part of the narrative as we have it more fully from a gentleman who was present, as will be seen by the next report. We will deal with what this gentleman saw himself. He said:—Some ladies were taking their usual morning walk on the Bund when the crowd rushed on to Shameen, and they at once got into a boat and came on board the *Hankow*, followed soon afterwards by a number of other ladies and children, who had left their homes hurriedly, many only partly dressed, as some had been in bed when the alarm was given, and only lady informed me that she hastily got out of bed on being told of the attack, threw on a garment or two, and snatching up her child, ran to the steamer. She said she was pursued by some Chinese armed with long knives and bamboos, and narrowly escaped them. As there was a large number of Chinese passengers on board the *Hankow*, it was deemed safer to send the ladies and children on board the *Ningpo*, which was lying there, and this was done. Most of the male residents of Shameen also went on board the *Ningpo*, and up to ten o'clock but few Europeans were ashore. After that time Mr. Butler, of the English Consulate, intimated that there were some rifles at the Consulate he was ready to serve out, and he sent on board the steamer for more, and just at that time I saw Mr. Schruyter, the shipping clerk of our Canton branch, being conveyed on board the *Ningpo*. I could see he was wounded. Just after this the German Consul sent for the Germans on board the steamers to assist him, and requested them to bring rifles with them if possible. This I could not do, but I went directly, and when I got ashore I was informed that our Consul and other gentlemen had made up their minds to combine together to drive the crowd over the bridge, as the Chinese refused to do more than guard the bridge and had told them that if they could do so they might drive the crowd out of Shameen by force. Most of those remaining on the island were Germans who had no families to look after, and they had a clear retreat open to them, if they needed it, to the steamers. The German Consul counselled them not to use their rifles on the crowd, as in such a case he said he should not be able to protect them afterwards. The men who now remained replied that they would be able to protect themselves now that they had rifles in their hands, and to defend their houses and property. The Consul then said that since they were ready to do this, he would adopt a different course, and as they were ready to fight, he would take all the responsibility on himself, and would assemble all he could together to endeavour to drive back the mob. At that time Herr Von Pustau, who is a lieutenant of the German Army Reserve, took the command of the men collected, about ten of whom were armed with Snider rifles and muzzle loaders, and about ten more with swords, which were got from the English Consulate. With this force we sallied forth to make the attack, but before we could reach the crowd, they cleared off and got away across the creek, some shots being fired among them, and when we got to the burning houses, there were no Chinese but one or two caught about the place. We just arrived in time to prevent the crowd from setting Messrs. Russell & Co.'s premises on fire. They had sacked the place, and we caught a man under the verandah with a piece of burning material in his hand. Three dead bodies of Chinese were found left behind, and I am told that many wounded were carried off by the mob. Our Consul sent several applications to the Viceroy for aid, and he called upon the few Chinese troops who had been sent to drive off the mob in very strong terms, charging them with cowardice. After this time the Viceroy sent a large number of troops, which filled up the point, and kept the mob out of the place I counted eleven houses destroyed by fire, but I am told there are thirteen, besides four others only looted. There could be no efforts made to check the flames. There were no engines, for the Chinese burnt down the engine house and destroyed the engines. At five o'clock a meeting of the residents was held at the Canton Club, Mr. Duval, the president of the Club, being appointed Chairman, to take into consideration measures for the defence of the Settlement. Herr Von Ketler, the German Vice-Consul, was appointed the commander of the residents' forces, as he had seen some active service as a German officer and was the only one who had seen real service. There were three officers under him, viz., Mr. Von Pustau, Mr. Rocher, and Mr. Dunt, who had command each of a division, and these divisions took alternate watches of three hours each for patrolling the Settlement from nine o'clock. I was in the first watch, that of Mr. Von Pustau, and everything was quiet all the night through on Shameen, but while I was on duty I heard firing going on somewhere in the city, the cause of which I do not know. During Monday a great number of Chinese troops arrived in the Settlement, and at nine o'clock in the evening many Chinese gunboats arrived and placed themselves round Shameen, whilst watch boats kept any mob from crossing the creek. The camp of the troops was pitched upon the Bund, which they almost filled. The next morning a feeling of security succeeded to the anxiety which prevailed before, and the ladies and children came ashore to their houses; some whose houses were burned came on to Hongkong by the *Honan*, whilst others will come on to-morrow. I don't think Mr. Schruyter is seriously hurt. He was wounded with small shot, being struck on the forehead, the back of the head, the left arm right wrist, and stomach. There were no medical instruments available to extract the shots, all having been destroyed, but the doctor thinks the wounds are not serious. I was with him before leaving, and he appeared to be pretty well, and was about writing a lot of

Omit

correspondence for the mail. It is believed that the shots were fired by a Chinese soldier. The Chinese soldiers seemed to take a lively interest in the welfare of the mob on Shameen, and they let all of them escape. The only ones captured were seven we seized, four of whom made good their escape, whilst the other three made some escapes and were re-captured. There is a strong feeling in the settlement that if there had been an English gunboat there, the whole damage might have been prevented. As we were on the way down we met the gunboat *Swift* on the way to Canton; she was going at a very great rate. The *Espoir* we saw taking shelter from the weather.

Mr. Brocklemann, of the firm of Messrs. Pustau & Co., gave us later on a very complete description of the affair, but as it travels over the same ground as the preceding narrative, and corroborates it, we will only give that part referring to what occurred while Mr. Schwemann was on board the *Hankow*, and such extra particulars as he gave. Mr. Brocklemann said: —Just before half-past eight this morning, Mr. Raven, of the Ice House, who lives in the same building as I do, called to me over the banister as I was dressing that he had just heard from his compradore that a Chinaman had been kicked overboard from the *Hankow* and drowned at 5.30, and that a Chinese mob had assembled, being then engaged in firing the Custom House. I went to the veraudah and saw the smoke rising from the two steamer-wharves, which were then on fire. I went downstairs at 8.40, and then saw saw the first Chinese crossing the bridge into Shameen. We wanted to look after some books in the house, but as there were some ladies in the next house who needed protection, three of us got together, one with a pole, another with a dagger, and another with a revolver, and tried to drive the crowd back on the front row. There were about a hundred men there then, but we succeeded for a short time, and then we went to the middle row, keeping near our own places, and the crowd was soon increased to 250 men, as they came pouring over the bridge, the gates of which they had opened. They drove as back for a bit, and this kind of thing kept on till about 9.30, when some 50 Chinese soldiers came across the bridge which leads from the city to the middle of the Settlement. Of these 25 stayed on the bridge to prevent any more Chinese from coming over, and 25 more came on to Shameen. However, they were a wretched lot, miserably armed, and were utterly afraid to attack the mob. They seemed to have no leader and would do nothing without the co-operation of the Europeans. They just followed us about, and did nothing, the only good done being the guarding of the bridge. We took some of their bamboo spears away from them, and found them useful to use ourselves, as revolvers and small things were of no use with the crowd. The few Europeans drove back the mob three or four times, and if we had any support from the Chinese soldiers we could have kept them back, but we were unsupported, and the soldiers were firing behind us, and so we retreated, and the crowd chased us to the middle of the Settlement. They then broke into the house of Messrs. Thomas, Rowe, and Smith, and though they looted it, they did not at that time set fire to it. The Consuls warned us not to shoot any of the natives and we heeded the caution.—Mr. Brocklemann here went on to deal with the banding together of the residents armed with the weapons supplied by Mr. Butler, and their successful attack on the crowd. He said that from 8.30 a.m. the Consuls had sent to the Chinese authorities for assistance, and had received word back that there were 200 to 300 men on the other side of the creek who did not dare to pass over unless they had support from the Shameen side, and so Mr. Mollendorf arranged this party of attack. Messrs. Thomas, Rowe, and Smith's premises were the first fired on Shameen, this being done at ten a.m., and the outbreaks followed quickly. The crowd, according to this gentleman's computation, numbered about 700 at this time. The Consuls had a consultation at three o'clock as to whether the *Hankow* was to be kept at Canton or sent to Hongkong, and they decided it would be well for it to remain until the drowned Chinaman was removed, and that the Portuguese watchman charged with causing his death should not then be taken away for fear of further inflaming the mob. Mr. Brocklemann said he saw the bodies of three Chinese killed by firing, which went on pretty briskly after the decision to resist the mob by force, and he understands that about 20 dead bodies were carried off by the mob.

Rebels to kill Young Nov. 12, 1883 Cipher

Tungchow, China.

November 9th, 1883.

Secretary of State

Washington, D.C.

Via Young

Foreign office inform Legation Emperor issued decree ordering Chinese troops on border at once resist by land and sea any attempt French enter Chinese territory. Foreign office assures Legations complete protection foreigners including French. Fear no immediate conflict. Suggest Admiral be instructed concentrate fleet in Chinese waters

R Young

Addressed to Secretary of State
Jany 15 1884 entered
Chinese Customs
Old Series
Jany 23 1884 entered

drawing

No. 278. One Enclosure.

Legation of the United States.

Peking, November 10th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to
the Secretary of State.

Subject.

Tonnage on cargo boats.

Synopsis.

Refers to dispatch number 117. of February 1st. Chinese Government has ordered the discontinuance of the levy of this tax. Action satisfactory to the Legation.

No. 278. One Enclosure.

Legation of the United States.

Peking, November 10th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:

In my despatch of February 11th, 1883., number 177., I reported to the Department certain complaints made to the Legation that the Chinese Customs Authorities at Shanghai and Foochow had attempted the levy of tonnage dues on cargo boats plying within the limits of those ports, and that the Legation had protested against such action.

I

I have now the honor to enclose a copy of a
1/278. note received from H. I. H. Prince Kung, from which you will learn that orders have been issued directing the discontinuance of this levy.

The action taken by H. I. H. is in accord with the provisions of the treaties and is entirely satisfactory to this Legation.

I have the honor to be,

Sir,

Your obedient servant.

Enclosure.

Enclosure.

1. Prince Kung to Hon. Young.
Informal. July 4th, 1883.

Despatch No. 278.
Enclosure.

Prince Kung to Mr Young.

Informal. July. 11th, 1883.

In January last I had the honour to receive a note from you stating that cargo boats ought to pay tonnage dues when plying between two ports, but not when used within the limits of any one port; that Woosung is within the limits of the port of Shanghai; and that an attempt to levy tonnage dues on cargo boats at Woosung is an impropriety and an obvious disadvantage to all commercial interests at Shanghai.

In response you were informed that Sir Robert Hart, Inspector General of Customs had been applied to for a report on the subject, and you would be addressed again on receipt of his

his response.

Upon the 6th instant I received his reply in which he states that Woosung is within the port of Shanghai; that Cargo boats are exempt from tonnage dues within the limits of a port; that Cargo boats go of necessity to Woosung; that it would be difficult to prevent them from going thither; and more difficult to levy tonnage dues upon them. He thinks it would be better to exempt them all and so make the rule uniform. But Shanghai Cargo boats are required by regulation to be registered at the Customs, and in addition to having the number painted in English and Chinese upon each boat are required to take out a permit issued by the Customs on registration. No fee is required but each Captain is required to be furnished with this permit to avoid irregularities,

and

and to facilitate investigation by Customs deputies.

Instructions to this effect have been transmitted to the Northern and Southern Superintendents of Trade for observance by local officers, and the permits referred to will be issued by the Customs.

Cards and Compliments.

Additional approval for Young's action as to the Customs in China is found in Despatch No. 119 of Jan 14, 1884 Editor

relating

No. 279. Three Enclosures.

Legation of the United States.

Peking, November 10th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Lonnage dues regulations.

Synopsis.

Refers to despatch number 119. Foreign Office has withdrawn regulations referred to therein. United States interests not specially involved.

No. 279. Three Enclosures.

Legation of the United States.

Peking, November 10th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:-

In my despatch number 119. of February 3rd, I had the honor to transmit to you copies of certain correspondence between the Foreign Office and the Diplomatic Body in respect to the regulations for the levy of tonnage dues upon foreign vessels. For your convenience I enclose further copies herewith. 1/279. 2/279.

herewith.

In their response the Diplomatic Body, as you will see from enclosure number 2, accepted the propositions of the Chinese Government with the exception of that referring to subsidized mail steamers, in reference to which they said that it must be left to the companies interested to accept the new regulations or to abide by the clauses of the treaties, as they might see fit.

I now enclose a

3/279. translation of the rejoinder

of

of H. I. H. Prince Kung to our response. In it he states that, as the Diplomatic Body has not seen fit to accept the proposed new regulations *in toto*, both the new and the old rules are withdrawn, and that the stipulations of the treaties must be literally enforced.

As the only point really at issue is the levy of tonnage dues upon subsidized mail steamers, and as we have no vessels of this class plying in Chinese waters, it has not seemed advisable for this

this Legation to take a prominent part in any further discussion of the subject. I shall therefore content myself with supporting my colleagues in any reasonable propositions which they may see fit to make to the Chinese Government upon the question at issue.

I have the honor to be,
Sir,
Your obedient servant.

Enclosures.

Enclosures.

1. Prince King to Mr. Young
   119/1882. December 14th, 1882.
2. Mr. Young to Prince King
   120/1882. December 26th, 1882.
3. Prince King to Mr. Young.
   43/1883. June 21st, 1883.

Despatch No. 279.
Enclosure 1.

No. 119/1882.

Prince Kung to Minister Young.

In the matter of the levy of tonnage dues on foreign vessels or their exemption therefrom, in December 1870, I received a report from Mr. Inspector General Hart in which it was stated that "the mode of levy of tonnage "dues on foreign vessels and the rule "of exemption therefrom ought to be made "uniform that the charge may be equit- "able and satisfactory". But in this "question as to when such dues should "be levied and when remitted, not- "only are there discrepancies in the "stipulations contained in the several "treaties, but the commercial regu- "lations appended thereto contain- "discrepancies which cannot be re- "conciled. Then these latter have been from time to time modified

to

"to meet the exigencies of the occasion
"and additional stipulations have
"been inserted so that the treaty pro-
"visions have been repeated and the
"rules have become so confused that
"it is exceedingly difficult to reduce
"them to any uniform system.

"I have therefore taken the
"treaty provisions and commer-
"cial regulations upon this point -
"with the correspondence relating
"thereto, and the usages and pec-
"uliar circumstances of each collect-
"orate and each port into careful
"examination and comparison and
"have formulated eleven rules, for
"the guidance of the Customs, which
"embrace all the material points
"in the levy and remission of ton-
"nage dues upon foreign vessels,
"and which I beg may be promul-
gated for general observance, etc.:-
etc.-

In January, 1841. the Repre-
sentative

- sentative of your Government was addressed by me in accordance with this request.

I am now in receipt of a further report from Mr. Inspector Hart, in which he remarks that "the years that have passed since "1870, have not been without sug- "gestions from the several ports for "the amendment of these rules. In "the revision of the various treaties "dissimilar provisions have been "inserted, and both in the general "and detailed commercial regula- "tions are found many discrepan- "cies which it is desirable to re- "duce to uniformity, I have accord- "ingly again collated all the stip- "ulations bearing upon the levy "and remission of tonnage dues, "and, following the general line "heretofore pursued, have prepared "mine amended rules which I beg "may be taken into consideration

"and

"and published for general observance,
"etc. etc. etc.

The various modifications in the levy of these dues made during recent years have had careful consideration at my hands, and they appear to be embodied without exception in these nine rules. Hence these nine rules should be incorporated with the preceding eleven and thus form a mode of procedure.

It is therefore my duty to transmit herewith a printed copy of the Chinese text of the nine rules, with a copy of the English translation furnished by Mr. Hart, to the end that H. E. may take them into consideration and issue them for general observance.

Honourable John Russell Young.
&c. &c. &c. &c.

Peking. December, 14th, 1882.

Chinese Customs

Tonnage Dues Regulations.

What vessels pay Tonnage Dues.

1. With the exception of Ships-of-war, Pilot-Boats and Yachts, all other vessels - Merchant ships, Steamers, Tugs, Hulks, Boats and Cargo Boats - are required to pay Tonnage Dues - either at the rates and times set forth, or subject to the exceptions - provided for in these - regulations.

Tonnage Dues when due.

2. Tonnage Dues are due on the expiration of forty-eight hours after arrival

or

Tonnage Dues when due.

2. or on breaking bulk, i.e. landing or shipping cargo, Bullion excepted, or landing and/or shipping 20 or more passengers, — whichever first happens.

Tonnage Dues at what rates payable.

3. Tonnage dues are payable at the rate of Four mace per Ton by vessels of more than one hundred and fifty tons burden, and one mace per Ton by vessels of one hundred and fifty tons or under.

Four Months' Certificate

4. Tonnage Dues having been paid, a Four Months' certificate will be issued on clearance, from which date the vessel will be exempt from Tonnage Dues for a period of four calendar months on exhibiting her certificate. —

Subsequent

Four Months' Certificate.

4. Subsequent certificates are to be dated from the date of the first clearance following the expiration of the preceding certificate.

What vessels are exempt from payment of Tonnage Dues.

5. In addition to Ships-of-war, Yachts and Pilot-Boats, the following classes of vessels are specially exempted from payment of Tonnage Dues provided the conditions affecting the exemption are duly observed:-

(A.) Boats employed in the conveyance of passengers, baggage, letters, articles of provision or other articles not subject to duty, in or between the Treaty Ports;

(B) Merchant vessels which depart before the expiration of 48 hours

hours from arrival, and-

What Vessels are exempt from payment of Tonnage Dues

5. which neither work cargo – personal baggage, gold and silver bullion and foreign coins excepted – nor carry passengers aggregating inwards and outwards twenty or more;

(6) Vessels which are reported to the customs as having entered port specially for shelter or repairs (including steamers which, en route for another port, are forced to enter to coal), and which, occupying berths assigned them by the Customs, observing Port Rules and Customs Regulations and working neither cargo

cargo nor passengers, de-

What vessels are exempt from payment of Tonnage Dues.

5. part as they arrived - either in ballast or carrying away their original cargo (N.B. If in order to effect repairs, cargo must necessarily be temporarily landed, special permission can be obtained on application; but such cargo must be replaced and taken away by the same vessel when departing).

If any such vessels hold Four Months Certificates, - they will be treated as - follows: -

(a) If the vessel enters for shelter, the certificate is extended the number of days the vessel - spends in port;

(b)

What Vessels are exempt from Tonnage Dues

5. (b) If the vessel arrives for repairs and leaves without working cargo or in passengers, — or if, arrived for repairs, the vessel subsequently in works cargo or passengers, — or if, arrived for ordinary trading purposes, the vessel remains in port for repairs, the days actually spent in port in effecting the repairs are added to the Four months' certificate;

(c) Should it appear that a vessel takes advantage of these concessions respecting shelter and repairs simply to evade or defer payment of Tonnage Dues, a fine will be levied amounting

ing

-ing to double the sum sought

What vessels are exempt from payment of Tonnage Dues

5. to be evaded or deferred;

(d) If the vessel is one which does not enter for shelter or repairs but departs without working within 48 hours, and if the Four Months' Certificate expires while in port, the vessel will be free to depart without further payment of Tonnage Dues, and her next Four Months' Certificate will be dated from the first subsequent clearance necessitating payment of Tonnage Dues;

(e) If the Four Months' Certificate has not expired, its duration is not in any way affected by this exemption;

(f) If not possessing a Four Months' Certificate,

the

What vessels are exempt from payment of Tonnage Dues

5. the vessel although not-working cargo will be required to pay Tonnage Dues if she brings in or takes away passengers aggregating twenty or more.

For the purposes of this Rule, Inward and Outward Manifests must contain full details respecting Bullion, Foreign coins, and Passengers: thus —

Bullion, Silver — cases value —
— " — Gold — " — " —
— " Foreign Coins. — " — " —
Passengers. Cabin. (numbers)
— " — Steerage. — " —
— " — Deck. — " —

Special rule for Sailing vessels more than fourteen days in port.

6. The Four Months' Certificate of any sailing vessel in port more than fourteen days will be extended half the number of days spent in

in

in port beyond that time,
b. i.e. for half the period from
the fifteenth day to the day
preceding that of clearance
both included.

Special rule for Mail Steamers: Experimental and provisional.

7. In the case of companies established or subsidized by Government for the conveyance of Public Mails between foreign countries and China, which have periodic dates of departure with mails fixed by contract, the Four Months certificate will be, — not for the individual vessel named so and so, but — for whatever steamers may carry the mails at intervals of four weeks. The payment of Tonnage Dues once will thus clear the company from liability for four months in respect of such

Steamers

steamers as carry the mails that accord at intervals of four weeks with those carried by the vessel which originally paid Tonnage Dues, i.e. for Monthly mails, there will be one payment, for Fortnightly two, and for Weekly four, every four months. Other steamers the property of such companies, entering port but not intended to depart or not departing with the regular contract mails are not covered by this Special Regulation, but must pay Tonnage Dues in accordance with the rules for ordinary traders.

Special rule for Mail Steamers: (Experimental and provisional). 4.

This Regulation which is confined to Shanghai is Experimental

al

al and open to revision.

What dues are paid by Chinese Junks under foreign charter.

8. Chinese Junks chartered by foreigners are required to pay Port Dues according to the Chinese Tariff and Rules, if trading on the Yangtsze, and Tonnage-Dues once every four months at the same rates as foreign vessels if trading between the Treaty Ports on the Coast.

Customs measurement for Tonnage.

9. Vessels requiring measurement or re-measurement may apply to the Customs to be measured. Gross Tonnage will be calculated in accordance with Rule I. of the British Merchant Shipping Act, and the deductions to be made therefrom in order to obtain the Tonnage-Dues-paying Tonnage

Customs measurement for Tonnage.

9. Tonnages will be calculated in accordance with certain provisions of the same Rule and certain instructions published by the United States Government as to what parts above the upper deck to the hull should be included, approved of and adopted by the Chinese Customs. For conjoint measurement of vessels for Tonnage, the usual fees will be payable.

Despatch No. 279.
Enclosure 2.

No. 120/1882.

Mr Young to Prince Kung.

Peking, 26th December, 1882.

I have the honour to acknowledge the receipt of Your Imperial Highness's note dated the 14th instant.

I have seen with pleasure that the Regulations for the collection of Tonnage Dues contain a rule permitting Merchant Vessels to land or take on board an aggregate number of 19 passengers without subjecting the ship to the payment of tonnage dues, a measure which I have no doubt will prove equally useful to Chinese and to foreign interests.

With regard to rule 7 referring to mail Steamers it must of course be left optional to the different

different companies whether they will accept this arrangement or abide by the clause of the treaties affecting tonnage dues.

The term "cargo boat" as used in the rules I hold to mean only such cargo boats as convey merchandise between treaty ports — and not lighters used for loading or unloading ships within the port itself.

I shall be most happy to transmit copy of the English text of the Tonnage Dues Regulations and of this despatch to the Consulates of the United States.

I have &c

(Signed) John Russell Young.

Despatch No. 279.
Enclosure 3.

No. 43/1883.

Prince Kung to Mr Young.

Upon the 26th December, 1882. I had the honour to receive your response to my communication in the matter of tonnage dues, and embodying nine regulations.

You stated that the second regulation under which merchant vessels might land or take on board an aggregate not exceeding 19 — persons without becoming liable to pay tonnage dues would be equally useful to Chinese and — foreign merchants; that with — regard to Rule seven referring to — Mail Steamers, it must be left optional to the different companies whether — they will accept this procedure or abide by the clauses of the treaties; and that you understood the term "cargo boats"

'boats' to mean only such as are used to carry goods from one open port to another, and not lighters used for loading and unloading vessels within the port itself. - Answers in the same sense were also rec'd from the other diplom[atic] - Agents.

It thus appears that in regard to tonnage dues on cargo boats, - and the proposed method of dealing with mail steamers, U. S. and the other Representatives are not entirely satisfied with the proposed rules. - In regard to cargo boats, U. S. holds that lighters used in loading and unloading ships should be exempted from the payment of tonnage dues. And since such craft are employed in carrying merchandise to or from large vessels which have already paid tonnage dues, although the exemption of such lighters does not entirely accord with my views

views of the treaties still it may be conceded. It is therefore submitted that such craft exclusively employed within the limits of any port in loading and unloading vessels may be exempted from the payment of tonnage dues but they must report at the Customs once each year for registration and a permit in order to prevent abuses. This may be regarded as settled.

In regard to the proposed rule for mail steamers, H. E. and the Diplomatic Body hold that the matter must be left to the option of the merchants. But the Netherlands Minister alone requests that the proposed rule be put in force at other ports than Shai. It appears to me that if the proposed rule is to be enforced at Amoy alone while at all the other ports it is to be left to the merchants to

adopt

adopt it or not at their pleasure, it will be impossible to avoid irregularities in the revenue Service and the amount of tonnage dues revenue will become entirely uncertain. The only way to avoid these difficulties would seem to be to levy tonnage dues on each Steamer as provided in the treaties. It becomes a duty therefore to notify each steamship company that in future tonnage dues must be paid in all cases as the treaty directs, and to direct that the rule hitherto in operation at Shai be cancelled.

I have notified the Northern and Southern Superintendents of Trade to issue the necessary orders to this effect, and have directed the Inspector General of Customs to enforce the treaty on this point. And I must beg you to instruct the Consuls at the several ports to issue orders in the same sense to the Merchants and people.—

Peking, June, 21st. 1883.

Copy to Mr. Rives
per 73, 1884
circular

Copy to Portland
per 73, 1884
circular

Confidential

No. 280.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

Legation of the United States.
Peking, November 12th, 1883.

John Russell Young to
the Secretary of State.

Subject.

Relations between China and Japan.

Synopsis.

Reports a conversation had with the Japanese Minister and a request made by him.

No. 280.

Confidential.

Legation of the United States.
Peking, 12th November, 1883.

To the
Honourable Fred.k T. Frelinghuysen.
Secretary of State.

Sir;

The Japanese Minister Admiral Enomotto, called at the Legation yesterday to make a "confidential communication". He, some time ago, had received a telegraphic despatch from the Japanese Minister for Foreign Affairs, directing

directing him to go to Tokio. — Domestic reasons, connected with the health of his wife, made it impossible for him to leave — now, or perhaps before navigation closed. Since then he had — received a written advice from Mr. Inouye informing him, that it was the Emperour's will that he should go to England as the Minister of His Majesty.

The Admiral said that he appreciated the honour thus conferred. But there were — some reasons why he wished to decline it; reasons of a — public and in no sense, a — private or personal nature. —

The

The honour was one which he appreciated although he did not seek it. He had served His Majesty in the Cabinet, and as a Vice Admiral, and these positions were as high as any Japanese subject could reach. The relations between China and Japan and all Foreign Powers were such that he desired to take no step that might lead to a new embarrassment. In the present attitude of China towards France, and the fact that Mr. Tricou, who had been formerly French Minister to Japan was now in Tokio, the departure of the Admiral would

inspire

inspire a feeling of uneasiness among the Chinese. The relations of Japan towards China, were more important than those with any other country. He had come to China to endeavour to solve the unpleasant problems which had arisen out of their diplomacy. He did not despair of doing so. It might take three or perhaps five years, but if he could do it, or be in any way the means of doing it, he would feel that he had given his country and his Sovereign a high service. Compared to the satisfaction of such an achievement any honour the Emperour might

might confer upon him would be secondary.

Admiral Enomoto went on to say, that ever since he had come to China, the relations between that nation and his own, had been steadily improving. This His Excellency was good enough to add, he owed in a marked degree to the influence of the American Legation. This fact was known in Tokio, and a word from the Legation to Mr. Inouye as to the importance of the Admiral remaining in China, would result he believed in a change of the Imperial Edict. The Admiral further requested me if such a message were sent to Mr. Inouye, to do it in such a way,

as

as not to make it appear, that he had suggested it.

I replied to the Admiral that I was in the first place grateful for his opinion as to any influence we may have had in maintaining peace in Asia. In that I had followed from the outset the instructions of my Government. We desired the independence of China and Japan. In that independence, we saw an assurance of a closer intercourse with America, an advance in civilization, and an improvement in commerce. The subjugation of Asiatic nations was inevitably followed by

by the conquering power absorbing the trade. England for instance was a "free-trade" nation. But England by municipal regulations and mercantile organizations, and an absolute dictatorship had practically monopolized the trade of India. From this point of view, not the highest I must confess, the Admiral could see how American interests would suffer by a policy which destroyed the independence of the other Asiatic nations. For that reason, and because my Government, felt, as had been shewn in a hundred ways her deep interest in all that concerned the development of China and Japan. I had

from.

from the beginning steadily la-
boured to bring about an un-
derstanding between them.

The Admiral said he knew that, and he had never taken a step without consulting us. In fact, he might say, that his instructions from the Cabinet and especially from the late Mr. Iwakura, were to do nothing without conferring with our Legation. He had always found the utmost respect, sympathy and confidence.

Referring to the proposed transfer of the Admiral to London, I said it was a subject upon which I had the greatest hesitancy in entering

entering. It was a Sovereign -
act, the expression of the Imperial
will, and I should not care to
venture advice. Personally, I -
should regret the withdrawal of
His Excellency from Peking. For
public reasons I should still -
more regret it. The moderation,
patience, firmness and courtesy
which had marked his whole -
diplomatic career, so far as it
came within my observation, -
had given him a high place in
the esteem of the Legation. His
withdrawal at this time, I would
regard as something akin to a
misfortune. The public opinion
of China was in a mood to be-

deplored

deplored, and not to be viewed without concern. There was scarcely a mail, which brought us communications on public affairs from our Consulates, that did not give voice to this uneasy feeling among the Chinese people. Much of this was to be attributed to the distrust and exasperation aroused by the policy of France. It was difficult for the people to separate the action of France from that of other Western powers. We had all to rest under the same ban. The departure of His Excellency at this time it would be difficult to explain to an angry and

Suspicious

suspicious people. To shew the state of feeling in China, even so eminent a man as the Viceroy, had said in our last conversation, that in the event of a war between China and France, he did not believe a foreign settlement in China would be safe. There would be a sentiment which the Govern-ment could not controul. This declaration of Li had caused me much anxiety, because it was made in no hostile spirit. It came as an apprehension and not a threat. I felt sure, that if Mr. Seymour was familiar with the state of affairs, he would advise his Majesty to retain Mr. Enemotto in

China.

China. At the same time it was difficult to see my way to express an opinion on the subject. It was so entirely a matter within the control of the Tokio Cabinet.

The Admiral replied, that he knew this well. Under ordinary circumstances he would not have thought of mentioning it. But it was an exceptional case, and our Legation held exceptional relations with Tokio. A hint, an intimation from the American Legation in Peking to the Japanese Foreign minister, would have the greatest weight. He was actuated by what was best for his country. It was no pleasure, as I well knew,

for

for him or for any foreign minister to remain in Peking. London would be far more pleasant, especially as he had served in European courts, knew English and had many friends in English and Continental society. Furthermore, there were important questions between Japan and England arising out of the recent convention for the revision of the treaties. In this his Government was deeply interested. But the questions in China far transcended these, and to withdraw now would be to add to the troubles.

I said that I always regretted the retirement of Mr. Shishido.

Shishido from Peking in 1881. -
It was precipitate, unceremonious
and thoughtless, especially to do -
so in the winter, when it required
a sixteen days overland trip to -
reach Shanghai.

The Admiral replied -
that he was in the Cabinet at
the time, and with many of
his colleagues deplored the action
of his predecessor.

I said that I was most -
anxious to oblige His Excellency
and do a possible service in the
cause of peace, by writing to Mr. -
Inouye. It was a matter, so -
delicate, that I must think it -
over. I saw the force of his -
suggestions,

suggestions, and would go a-
long way to keep him in Peking.
But I wished to do nothing that -
could be construed into an un-
interference, with what might be
called the domestic affairs of un
Japan.

The Admiral answered
that no such construction could
by any chance be so regarded as
an interference by Mr Browne.

The Admiral went on to
speak of the anxiety caused in his
mind by the presence of Mr Fricon
in Tokio. His advices from Tokio
were that Mr Fricon was doing -
all he could to embroil China with
Japan. What Mr Fricon wanted -

especially

especially to secure, was such a
coöperation with Japan as —
would give the French navy a -
rendezvous in case of war. There
was a fine dockyard in Nagasaki,
which in the event of war, and
Japan proclaiming neutrality, -
would be closed to France. Without
a naval base of operations nearer
than Saigon, France would be in
a forlorn condition should disaster,
either from storm or battle, come -
upon her fleets. He had written
in the strongest manner to his
Government against any alliance,
or understanding with France. -
He had no ill-will towards France,
but he loved his country, and -
wished

wished to shield her from misfortune.

I asked him if he had any further information as to the views of his Government in addition to what he did me the honour to communicate, in our latest interview and which formed the subject of my despatch No. 275

The Admiral replied that the Government as far as he knew, was firmly of his own opinion. But all the same he was anxious. There was a war party in Japan, as there was in China, as there is in all countries. There were adjourned questions, not the best feeling, and he could not say how

how far the spirit of adventure,
of anger perhaps, would resist
the temptations of France. As
I also knew, there was as much
danger from some precipitate
action on the part of China as
from Japan. While he had
confidence in the great officials,
and heard only words of
conciliation from the Tsung-li-
yamên, the war sentiment in
China was growing, and might
be called a party.

I said in the conclusion
of our interview that I attached
so much importance to His
Excellency's remaining in China,
that I would, if I could by any

possibility

possibility do so, without incurring the censure of my Government with Mr Inouye. If I did not, His Excellency would understand, that it was a service which I would most gladly render, but could not for reasons beyond my control.

I have the honour to be,

Sir,

Your obedient servant,

Thos. Lamb Gray.

Mr. Smith's satisfactory letter of July 14. 1884 Ans'd.

Ask Consul Sugmon why he has not reports this settlement of China Kung's note.

No. 281. one Enclosure.

Legation of the United States.

Peking, November 12th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to the Secretary of State.

Subject.

Assault upon Rev. Mr. Wm. Kibben.

Synopsis.

Refers to despatches numbers 51. and 205. and reports the satisfactory adjustment of this case.

No. 281. One Enclosure.

Legation of the United States.

Peking November 12th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:—

Referring to my # despatches, number 51. of November 6th, 1882. and # 205. of May 22nd last. in the matter of an assault by a Chinese mob upon Rev. Mr. McKibben at Tai Ping Hsien in the province of Kwang tung. I have now the honor to enclose a translation of 1/281. a despatch from Prince

Kung

Kung, in which H. I. H. informs me of the settlement of the case in accordance with the demands of this Legation.

I have no recent report from Mr. Consul Seymour in the premises, but see no reason to doubt that the action of the Chinese Government has been taken in good faith, and that this business is satisfactorily disposed of.

I have the honor to be,

Sir,

Your obedient servant.

Enclosure.

Enclosure.

1. Prince Kung to Mr. Young.
54/1883. September 10th, 1883.

Despatch No. 281.
Enclosure.

No. 54/1883.

Prince Kung, Chief Secretary of State for Foreign Affairs, herewith makes a communication in reply.

Your Excellency.

In the case of assault upon Rev. Mr. Mc. Kibben at Ta Tu Hsien, I received some time ago a reply from you stating that, although the literati were prepared to make good the pecuniary losses sustained by him, yet, so long as not a single person guilty of riotous conduct had been arrested and no proclamations had been issued, you found serious difficulty in the way of directing the case to be closed. And you requested me to instruct the local authorities to make immediate arrest of the guilty parties to the riot, and to inflict severe punishment upon them, and to issue such proclamations as will

serve

serve to prevent similar outrages in future. You added that when this shall have been done and these orders carried into effect, you would be able to instruct the Consular Agent at Swatow to see to it that Mr. McKibben receives the amount named and that the case be closed.

I at once addressed the acting Viceroy at Canton in the sense indicated and am now in receipt of his reply in which he informs me that the District Magistrate at Ta-Pu Hsien reports that the soldiery acting under special orders had arrested the leaders of the mob and several persons who had posted incendiary placards, and these persons have been punished. The literati assembled at the Shenpu Club had collected the sum of $80. as indemnity for losses sustained, and had delivered it to Tsao Ho chiu to be by him paid over to Mr. McKibben,

that

that upon the 11th May a letter was
rec'd from Mr McKibben stating that
upon the 23rd April he had rec'd the
amount named; and a receipt was
also given by Tsao Ho chu —
acknowledging receipt of the money
and saying that no further demand
for compensation would be made. —
Thereafter a despatch was received
from the U.S. Vice Consul stating that
the case might now be closed.

The Magistrate also submitted
copies of a proclamation which had
been generally posted in large
numbers.

It thus appearing that the
leaders of the riot and those who
posted incendiary placards have
been arrested & punished; that
suitable proclamations calculated to
prevent a recurrence of such outrages
have been posted; and that the
liberati have made indemnity to
the amount of $80. — to Mr McKibben

for

for which a receipt has been given; it becomes my duty to request you to instruct the Consular Agent at Swatow to inform Mr. McKibben that this case is closed. —

Hon. John Russell Young.
&c &c &c &c.

Peking, September, 10th, 1883.

Withdrawn from this correspondence. Case closed. If only found, it will be sent on that date at Foochow. Jany 15 84 Crister

dorbing

No. 282. Two Enclosures.

Legation of the United States.

Peking, November 12th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to
the Secretary of State.

Subject.

Interference with attempt to establish a hospital at Foochow.

Synopsis.

Refers to despatch number 211. and gives further details. Prince Kung refuses to aid in securing justice and declares Foochow not a treaty port. Local officials fail to furnish other suitable

premises

premises as promised.
Mr. Young has approved Mr.
Wilgates' action and directed
him to press the case.

No. 282. Two Enclosures.

Legation of the United States.

Peking, November 12th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:-

In my despatch number 211. of June 7th last I reported to the Department the details of an interference on the part of the local authorities at Foochow with the efforts of an American physician, a lady, to establish a hospital for females and children in that city, and my action in relation thereto.

I

I have now the honor
1/282. to enclose a translation
of the answer of H. I. H.
Prince Kung to my despatch
in this case, which formed
an enclosure in my #
number 211., and a
2/282. further report from Mr.
Consul Wingate on the
progress of the business.

H. I. H. practically
declines to render any #
assistance to the Legation
in its effort to secure
a proper adjustment and
Mr. Wingate reports that
the promise to furnish
Miss. Sparr with other
suitable premises in lieu
of

of those in dispute, which promise originated with the Viceroy at Foochow himself, had thus far not been acted on in good faith.

The most noteworthy feature of the response of H. I. M. is that sentence in which he declares that Foochow is not a treaty port. The attention of the Ministers of the Foreign Office was at once called to this assertion, and they reiterated and insisted upon it at length in conversation. It need hardly be said that this

declaration

declaration is in flat "
contradiction of the explicit
language of all the treaties
between China and foreign
Governments. It will not
be allowed to pass, but will
be taken up again at a
favorable moment.

In the meantime I
have approved Mr. "
Livingston's course, and "
instructed him to continue
to press the case to an
amicable solution with
the Provincial Authorities.
It is extremely discouraging
to discover that not only the
people of China but even
so high officials as the

Viceroy

viceroy of a province and the Ministers of the Foreign Office carry their hostility to every thing foreign to such lengths as to countenance and encourage opposition to an enterprise so eminently practical in its philanthropy as a hospital for women and children.

I have the honor to be,

Sir,

Your obedient servant.

Jno. Russell Young

Enclosures.

1. Prince Kung to Mr. Young. 40/1883. June 14th, 1883.
2. Mr. Wingate to Mr. Young. No. 56. July 25th, 1883.

Despatch No. 282.
Enclosure 1.

40/1883.

Prince Kung to Mr. Young.

June, 14th, 1883.

Y. E.

I have had the honour to receive Your Communication of the 5th inst. in which it is stated that a lady, an American medical practitioner had established a dispensary for the treatment of women and children in the city of Foochow. It was decided last January to secure more ample accommodation where the sick could receive thorough treatment and nursing. Suitable premises were found and the purchase of them completed under the advice and consent of the Consul. Thereafter certain persons complained to the Authorities that it

it was the intention to construct buildings after a foreign model, whereupon the local authorities - without making any inquiry as to the facts of the Consul, - arrested and imprisoned the Chinese owner of the property and took other means to prevent the occupancy by your people of property which they had acquired in a legitimate manner. And you appeal to me to take such prompt and vigorous action as will secure justice to your people and a satisfactory settlement of this case, etc. - etc. -

In reply I beg to observe that the XII Art. of the Treaty with the - U.S. contains the following stipulation :-

"Citizens of the U.S., residing or
"sojourning at any of the ports
"open to foreign commerce, shall
"be permitted to rent houses

and

"and places of business, or twice
"sites on which they can ——
"themselves build houses or ——
"hospitals, churches and ——
"cemeteries. The parties ——
"interested can fix the rent by
"mutual and equitable agreement;
"the proprietors shall not demand an
"exorbitant price, nor shall the local
"authorities interfere, unless there be
"some objections offered on the part
"of the inhabitants respecting the place.
"The legal fees to the officers for applying
"their seal shall be paid. The citizens
"of the U. S. shall not unreasonably
"insist on particular spots, but ——
"each party shall conduct with ——
"justice and moderation."

In the month of April last I
rec'd a despatch from the High —
Provincial Authorities of Fukien —
stating that a petition had been
rec'd from the literati of the —
Asiàs 'Di' street in the city

of

of Foochow complaining that a resident of the street named Lin Nai Lang having sold his residence to a certain Hsieh Hsi En, after the completion of the transaction a foreign female practitioner had suddenly come forward, examined the premises, and declared her intention to open a hospital therein. As it was feared that there would be objections to such a course the local authorities were appealed to to prevent it, and to take such action as the treaty might warrant, etc. etc. etc.

The Provincial Capital, Foochow cannot be compared to a treaty port. As the literati mentioned appeal to have this transfer of property prevented, it is plain that all parties are not willing to have the Sale completed. Still further

Lin

Lin K'ai lang deposes that Asieh Asi ên was the sole purchaser of his property, that no foreigner showed his face in the transaction, but that, after it was completed, a female physician suddenly came forward, Examined the premises, and declared her intention to open a hospital in them. Hence it can be seen without inquiry that Asieh Asi ên knew that there would be opposition with the transaction.

The establishment of a hospital for females by a foreign female medical practitioner is a work of charity which can only be successfully carried out with the entire and willing assent of the literati and populace of the locality. As, in the present instance, the literati have petitioned against the

transaction

transaction, it is my duty to request you to instruct the female physician in interest not to insist unreasonably upon securing these particular premises, but to return the title deeds to the local authorities upon receipt from them of the purchase money, and thus to comply with the terms of the treaty and to put an end to this controversy.

Despatch No. 282.
Enclosure 2.

No. 56.

Mr. Mingaé to Mr. Young.

Foochow. 25th July, 1883.

Sir,

Referring to my despatches of March, 21st and 31st (Nos 45 & 47) in relative to the matter of the house in the city, bought by Dr. Sharr for a woman's hospital, and to your replies thereto, dated April, 16th & 18th, (Nos 24 and 25) I now have the honour to 144/ enclose, herewith, copies of correspondence, which will shew what efforts I have made to carry out the conciliatory action contemplated, and, also, how cavalierly this action has been treated by the local officials.-

You will, I think, conclude with me, that no action has been taken by the Viceroy in good faith, towards finding another suitable situation for the hospital.-

The officials have never informed

informed me that they had any orders from Peking, in the case, but it was commonly reported in the city, that orders had been given to find a place for Dr. Sparr, and hence the apparent activity for a time.

Neither of the three places which have been found are at all suitable for the purposes required. The offer of the first place, was under the circumstances, little less than insult. The other two places are a mile from the dispensary to which the women and children flock, and which is most conveniently situated for the accommodation of patients who come from the country.

The three places named in Dr. Sparr's letter of July, 6th, are three of eight which have been offered to her in the immediate vicinity of the dispensary.

The owners of these three places ask her to say that the places were

5 first

first offered to her last winter; which is not the case. They do this, because it is great presumption on the part of a citizen to say there are houses for sale in East Street, or its vicinity, when the officials say there are none.

I am more and more convinced that almost all, if not the whole, of the opposition to D. Spare's taking possession of the place which she bought, originated with the officials themselves.

They mean that foreigners shall not buy land except through them; and they mean that foreigners shall occupy only such localities as they see fit to permit. Lately, when it was thought that the Eastern Extension Telegraph Company might be purposing to buy land at Sharp Peak, the people were threatened with death, if they sold land to a foreigner.

The men who sold the house to D. Spare are still in prison, for no offence but doing that which the treaty permits them to do.

D.

Dr. Sparr is purposing to visit the U.S. this fall, and is anxious to get the hospital in working order, before she goes. The Chinese know that she is going, and some of the people say that the officials are delaying to find a place for her, thinking that, when she leaves Foochow, the matter will be allowed to drop. I must therefore beg H.E.'s earnest action, in endeavouring to secure for Dr. Sparr as soon as possible, either the place which she has bought, or another, equally suitable for her purposes. At the same time, if you can secure for us a recognition, by the Futien officials, of our rights to deal directly with the owners, it will relieve our citizens of the fear, which they now have, that if they buy a house or land, they may cause the persecution of innocent subjects of the Chinese Empire.

I have &c.—

(Signed) J. C. A. Mingale

U. S. Consul.

U. S. Consul. –

– Enclosures –

1. Mr. Mingalé to Mr Creevy. April, 30th, 1883.
2. Do — " — Do — May. 26th. " —
3. Pan Taotai " Mr. Mingalé. " — 28th. " —
4 Mr. Mingalé to Pan, Taotai. June, 2nd. " —
5 — Do — " — Mr. Creevy " — " — 11th " —
6 Pan, Taotai to — Mr. Mingalé " — 11th " —
7 Mr. Creevy to. — Do — " — 11th " —
8 — Do — " — — Do — " — 14th " —
9 Pan, Taotai to — — Do — " — 25th " —
10 Mr. Mingalé to. — Pan, Taotai " — 26th " —
11 — Do — " — Mr. Creevy " — 30th " —
12 Pan Taotai " — Mr. Mingalé — July 4th " —
13 Dr. Sparr. to — Mr. Mingalé " — 6th " —
14 Mr. Mingalé to Mr Creevy " " 21st. "

14 Enclosures, with despatch.
No. 56 from Foochow, July, 25th, 1883. –

Enclosure 1.
Despatch. 56.

Mr. Irmgard to Viceroy No. 1 &c.

April, 30th, 1883.

Sir,

Referring to the matter of the arrest and imprisonment of the man who sold the house for Dr. Sparr is in hospital in the city, and to H. E.'s promise to find another place for Dr Sparr, I regret to say that I have heard of no further action on the part of yourself, or of the other officials tending to settle the case. So far as I can learn, the men are still unjustly confined in prison; and Dr. Sparr is deprived of the opportunity of administering fully to the wants of the sick women and children. - While, as noted, no action has been taken here to shew the good intent of the officials. His E. the U.S. minister has shewn his good will and desire to accommodate, by consenting

to

ing as a matter of conciliation to the acceptance of another site by Dr Sparr.

I am now in receipt of an instruction from H. E. the U. S. Minister authorizing me to assent to this change, provided suitable premises are proffered by the Chinese Authorities. My authority is however limited by these two conditions viz:-

1st The persons now under arrest - must be at once and unconditionally released and subjected to no further molestation by reason of their - connection with this business.-

2nd The title deeds now in my hands must under no circumstances be surrendered to the Chinese Authorities until other suitable premises have been provided and accepted by the missionaries concerned, and official - title deeds therefor placed in my - possession.

Since the proposition to substitute other premises for those purchased for the

the hospital came from H.E. and since the work of Dr. Sparr is acknowledged by all to be most meritorious, I trust H.E. will give such orders as will enable Dr. Sparr to go on with her work, and also save the high officials at Peking further trouble.

Assuring H.E. of my hearty co operation in the conciliatory action which has thus been encouraged by my minister, and wishing you every personal and official blessing.—

I have &c.—

(signed) J.C.A. Mongalli.

U.S. Consul.

Enclosure 2.

Despatch 56.

Mr. Kingsley to Viceroy No.

May. 21st, 1883.

Sir,

On the 30th ult. I had the honour to address a despatch to H.E., wherein I made known to you the purport of an instruction I had rec'd from H.E. the U.S. Minister at Tokio, in the matter of the building bought by Dr. Sparr for a woman's hospital in the City. H.E. must have noted therein that a proviso, upon which the Minister assented to the substitution of another place for the one bought, was that suitable premises are proffered at an early moment. It is now more than fifty days since H.E. honoured me with an audience in this matter, and assured me of your willingness to give Dr. Sparr another place instead of the one she had bought. It is twenty days and more since

K

I informed you of the willingness of the U.S. minister to accept the compromise which he has assumed to have been proffered in good faith. And yet I cannot learn that any action has been taken either on account of my own earnest solicitations for justice, or with a view of meeting the friendly efforts of the minister to avoid trouble. If it is not the purpose of H.E. to accept a settlement of the case upon the proviso and conditions expressed in my despatch of April 30th, I must revert to the treaty right of Dr. Sparr to buy the premises in question and I must ask you to give the necessary orders to secure to her the possession and quiet enjoyment of the house which she has bought for a hospital. H.E. has already recd assurance that there is no intention of erecting a building in foreign style, or otherwise wounding the feelings and prejudices of the people. Surely H.E. has not held

the

the so called position of Viceroy in Foochow for many years to so little effect that the people will not listen to your advice and believe your word when you assure them of the good intent of Dr Sparr. Nor can I believe that the Literati of Foochow are so ignorant and impolite as not to heed such advice and admonitions as you may see fit to give. I must beg H.E. to favour me with an early reply, to this and my former despatch so that I may advise my minister of the progress of the case. A report has reached me that the sellers of the house have been again threatened with a severe beating. I shall be glad to be assured by H.E. that such is not the case, and that their release is at hand.

Assuring you of my constant good wishes for your happiness.

I have &c.

(Signed) J. C. A. Wingate.

H. S. Consul.

Enclosure 3.

Despatch 56.

Pan Taotai to Mr Wingate. – a note.

—

Without prefacing. Re the matter of Dr Sparr's lease of a house, I before directed the Min magistrate to search out another suitable house so that one might negotiate to lease it.

Now, later, &c, the Min magistrate in person petitions me that within the city walls, inside the south gate, he has looked at two buildings with vacant ground connected about 160 Chinese feet odd long and about 30 Chinese feet more or less in breadth across. They will undertake to negotiate to lease it out; only it is not allowed to alter it and construct a foreign building. If one builds a Chinese dwelling it should be of the same height as the neighbours' houses. I hope that you, the esteemed Consul, will in turn advise Dr Sparr to proceed

further

thither to look it over. If it suits her purposes, one can then negotiate to lease it, I hope moreover that you will inform me beforehand as to what day she will proceed (thither), so as to enable me to direct the magistrate to appoint a man to take her to see it.

This special note (therefor). I repeat, then, wishes for your felicity in promotion.

(with a card)

May, 28th, 1883.

(4th moon, 22nd day.)

Enclosure 4

Despatch 36.

Mr. Mingate to Pan Tsao'ai.-

I have to thank you for your note of May, 28th. wherein you inform me that the Min magistrate has found a place for Dr. Sparr's hospital, and ask me to advise her to proceed to the place and examine it.

Upon reporting the facts, and the situation of the house to Dr. Sparr, I am informed that it is not necessary for her to examine the place, since she had already, some time ago, - been informed through the English missionaries that she could have this house, and had decided that the place would not suit her.

I will write more fully upon the subject to H. E. the Viceroy, and in the meantime assure you of my continued good wishes.

(with a card)

Enclosure 3.

Despatch 56.-

Mr. Wingate to Mr. Ho. &c.

June, 11th, 1883.

Sir,

Referring H.E. to the despatches which I had the honour to address to you on the 30th April, and on the 21st of May, wherein I informed you of the nature of the instructions which I had received from H.E. the American minister at Peking in the matter of the buildings in the city bought by D. Sparr for a woman's hospital, both of which despatches remain unanswered, I now have to communicate the following facts for your inspection.

On the 29th of May, I received a note from Kan Tao-tai, wherein he said "In the matter of D. Sparr's lease of a "house, I before directed the Wen "magistrate to search out another suitable house so that one might negotiate to

lease

lease it. Now, later, &c, the Min-
magistrate in person petitions me that
within the City walls inside the South
gate he has looked up two buildings
with vacant ground connected about
160 Chinese feet odd long and about 30
Chinese feet more or less across. They
will undertake to negotiate to lease
it out; only it is not allowed to -
alter it and construct a foreign building.
If one builds a Chinese dwelling, it -
should be of the same height as the
neighbours houses.

I hope that you the esteemed
Consul, will in turn advise Dr Sparr
to proceed thither to look it over. If
it suits her purpose one can in
negotiate to lease it. I hope, moreover,
that you will advise me beforehand
as to what day she will proceed (thither)
so as to enable me to direct the magis-
trate to appoint a man to take her
to see it.

This coming to me, the Consul,

I

I sent a messenger to ascertain the locality. He found that the houses in question were situated between the city and Wu Shih Shan within the jurisdiction of the Nantaan magistracy. I made known this fact, and also the purport of the note of P'an Yao T'ai, to Dr. Sparr. Whereupon I was informed that it was not necessary for her to examine the premises, since neither the situation nor its surroundings were suitable for the purposes of the hospital. It seems that Dr. Sparr had already been informed by the English missionaries, that she could have the place, and she had at once decided that it would not suit her purposes. I have informed P'an Yao T'ai of her decision.

Y. E. must be aware that there are many houses in the city which the owners would gladly sell. This being the case, it is somewhat strange that the only place which

which you have found for D^r Sparr
in all the months which have elapsed
since the case first came before you,
is this out of the way place which had
been previously offered to the English
mission, and by them refused.

It seems that if D^r Sparr had
consented to take the premises above
noted, she was not to be allowed to
erect a building in foreign style or
higher than the neighbours houses. —
This fact, of itself, would constitute
an insuperable objection to the place,
even had it been otherwise satisfactory.
If D^r Sparr is not to erect buildings
to suit her own convenience, it is
all important that the location should
be very near to the East Street Chapel,
since she can then occupy the rooms
which she now has, entered at the rear
of the chapel, and need only fit the
new premises for the patients and their
attendants. The propriety of this —
must be apparent to the understanding

of

of G. E. You will recollect that I have heretofore given you the assurance that there was no purpose of altering the style of the building already purchased:- but I could not even ask for this appearance for localities which would not afford the required conveniences without alteration.

I understand, at the time Dr. Sparr bought the premises which you object to her occupying, that there were several houses in the immediate vicinity which were for sale, but the prices asked were more than the contributed funds would warrant her paying. G. E., and the Lady Lais, told me that she had paid too much for the house bought. I presume one reason why the owners of the other houses asked such high prices, may have been the fear that evil disposed persons might make them trouble. If this is so, it will be easy for the officials to secure one of these places at a reasonable price, since, with this guarantee of protection the owners would not object

to

to sell. Yeh, Tsai'ai once said that the house adjoining the chapel in East Street could be bought for Dr. Spare. If so, it does not appear to me that Dr. Spare could object on account of its not being convenient for her, and there could certainly be no objection on the part of the neighbours. Under H.E.'s orders there can be no excuse if your subordinates do not act with more promptness in hunting up suitable premises than they have shewn in reporting to me this one situation now rejected.

I must beg you to honour my despatches with a reply, so that I can inform the American Minister of the progress of the case.

I avail myself of the opportunity to assure H.E. of my high regard, and wishes for your happiness.

I have &c.

(Signed) J. C. A. Kingsale
U. S. Consul.

Enclosure 6/56

Pan Taot'ai to Mr. Mingate (a note.)

Without prefacing - In the matter of Dr. Sparr's seeking to rent a hospital. I before rec'd your note that the building within the South Gate was not adapted for her use, and at the time immediately directed the Min Magistrate quickly to make search for another. He has now sought out two places in the Kuan hang ward, both suitable. -

I present (herewith) separately - a appended, a list with their prices and with the number of their compartments, hoping that you, then, will in turn, direct Dr. Sparr to proceed to look at them: if they may be suitable, favouring me with a reply so that I may direct the Magistrate on her behalf to negotiate for their lease, Execute deed and stamp it: besides this I write this special note, at the same time asking after your felicity in promotion.

Enclosure, a list with a card.

June, 11th., 1883.

List.

List— One place:- a suite of buildings in the Kuan hang ward, comprising one of four bents in a row, five posts to a bent, with second building, two storied, parallel in rear, both stories four bents, three posts to the bent.

Price 1,300 Strings of cash.

One place in the Kuan hang ward, consisting of the original buildings viz: one of five bents in a row, five posts to the bent with building parallel in rear five bents in a row, three posts to the bent.

Price 1,100 Strings of cash.

Enclosure 7/56.

Gov. Gen.l No 10 to Mr. Wingate.

I have recd repeated communications from you, the esteemed Consul, to the effect that in the matter of Dr. Sparr's establishmt of a hospital within the city, the men in confinement for selling the building ought at once to be released: that when the Chinese officials shall have provided another suitable place, the missionaries shall have accepted it, and the official deeds therefor shall have been placed in my possession, it will be allowed them to receive back the previous deed &c.

This coming forward to me, I find that the buyer of the building in the locality referred to was the native Chinese subject Sia sik ongi: no foreigner at all appeared in the matter, nor was anything said about opening a hospital. Moreover, your, the esteemed Consul's despatch to hand to the effect

that

that when searching for another place one must seal the deeds as an evidence, shews that you are certainly aware that the previous deed not having been sealed at all are insufficient to consider evidence (of title).

I (President of the Board) pushing friendly feeling exceptionally far, gave directions to press the local authorities promptly to look out another (place), and I yesterday received a statement from P'an Tsao'ai orally that the Hou Kuan Magistrate having reported that he had sought out a place with buildings on it in the lower Kai lang ward within the South Gate, he wrote you, the esteemed Consul, for you in turn to pass on directions for one to proceed to view it; that, it not being suitable, he later received report from the Min Magistrate that two other places had been found in the

the Kuan hang (ward) within the South Gate, and that he (Pan Taotai) was again negotiating with you. Thus the local authorities have all been looking out buildings for (her). How can it, then, be said "I have heard of "no further action on the part of the other "officials tending to settle the case."? The men confined ought of course to be released immediately upon the price (of the former property) being all paid (back); this matter (of release) is one within the functions of the local authorities.

As regards despatches to and fro on public business, there is of course a form (for these). By directing the local authorities to look up a building for her was on account of the friendly relations existing. But your, the esteemed Consul's despatch to hand first says (premises) must also be offered (up) at an early moment"; then again it speaks of the

"the method of settlement offered (up)".
In the trifling matter of the (perpetual)
lease of a house, how can I speak of
"offering up" (or proffering)? The
use of the words is a great breach of
Etiquette. Moreover this is not at
all an important case. You truly
can negotiate with Pau Taotai by
despatch: it is not necessary to
repeatedly trouble me with com-
munications (thereon)

Besides pressing the local author-
ities to deal promptly and securely,
it is fitting that I immediately send
you, the esteemed Consul, a communica-
tion in reply, and I would trouble
you to examine it. -

With this I repeat (wishes for) your
felicity in promotion. -

June 11th 1883 (Kuang Hsü 9th year
5th moon 7th day. -

(* compromise was so translated into
Chinese)

獻 "proffer" is the word taken
offense at. (Sd.) J. R. Pc. -

Enclosure 8/56.

Tientsin No 10 Mr Mingaie.

June, 11th, 1883.

Sir,

I received your, the esteemed Consul's communication in the matter of Dr. Sparr's search for a house for a womans hospital (saying) "Yeh Taotai "once said that the house adjoining "the Chapel in East Street could be bought "for Dr. Sparr. If so, it does not appear "to me that Dr. Sparr could object on "account of its not being convenient for "her and there could certainly be no "objection on the part of the neighbours"

This coming forward, I find that I recently replied minutely to your two preceding communications and communicated (with the Taotai's) as the record shews.

I have just received Pan Taotai's oral statement that there are further two houses in the Kuan hang ward, and

and that he has already by communication requested that one look at them and determine (whether suitable) when one again can negotiate (for their lease). He has not received a reply.

As to whether the house in East Street can or not be leased for a hospital, and whether or not there be anything prejudicial to the people's dwellings and shops (thereabouts) one ought also to examine clearly, discriminate and (then) act; one cannot determine in advance.

With reference to consuls these really rank with Taotais but your despatch to hand reporting the language of Pan Taotai (then) abruptly uses the form "This in hand"; at variance with official etiquette. Should it be thus again I only can not receive nor answer. This specially to state it clearly.

Besides sending a despatch

to

to the Board of Trade for them to direct the Magistrate speedily to examine and act, it is fitting that I first send a communication in reply to you, the esteemed Consul, whom I owed trouble to examine it. At the same time I repeat wishes for your promotion.

The necessary communication in reply.

June 17th, 1883.

(Kuang Hsü, 9th year, 5th moon, 17th day.)

Enclosure 9/86.

Pan Taotai to Mr Mingate. (a note)

Without prefacing. — In the matter of Dr. Spare's seeking to lease a hospital, the Hsien magistrate lately searched out two places for hire in the Kuan hang ward and I wrote you, the esteemed Consul, a note requesting you in turn to direct Dr Spare to proceed to inspect them (so that) one might negotiate for their lease. I have not since received your reply.

I now have Lo, the Hsien magistrate's petition reporting — I detailed a suitable runner who proceeded with Dr. Spare to view (the places). Dr. Spare found the buildings good in style and plan (and in these) and the spaciousness of their proportions very suitable, but disliked the situation in the Kuan Hang (ward) as being slightly out of the way

and

and quiet.

I, humble functionary, find that buildings in the city are really not easy to find. Whether shops in the market or residences of gentry and people they connect without break like the stars; with the most of them there is some objection on account of the people's dwellings or the aspect.

It is with great expenditure of thought and trouble that I have now succeeded in finding the buildings in the Kuan Hang ward. Dr. Sparr has inspected them. As they already suit her, one ought of course promptly to complete negotiations (for lease) to avoid change arising later. If she again delays in the matter, hoping and planning to change for another spot, the affair will assume the aspect of one practically impossible to complete; one will not avoid spending strength in vain, with not whence to make

good

good the loss (of opportunity).

I petition requesting that you scrutinize this and examine whether or no you ought to communicate with Consul Ringgold for him in turn to direct Dr Spaur to consider and settle upon one of the houses in the Kuan Hang hard, so that one may speedily buy definitely; and, prostrate, I beg your weighty decision and rescript for my observance in action.

The above coming forward, it is fitting that I immediately write and lay this before you. I vowed, then, beg you, the esteemed Consul, to examine it and in turn direct Dr. Spaur speedily and promptly to select one place definitely, so that one may consult about lease and what may be necessary, and on no account to hesitate, with the result, perhaps, of (this) proprietor's not leasing. If one hope and plan for the searching out of another

place

place, then one cannot complain if the local authorities (hereafter) do not act with vigour.

This to repeat my wishes for your happiness in promotion, and I hope to be favoured with a reply with a card.

June, 25th, 1883 (5th moon, 21st day).

Enclosure 10/56.

Mr Wingate to Pan Taot'ai.

June, 26th, 1883.

I have to thank you for your note of the 11th instant wherein you inform me that the Min-Magistrate has found two places for Dr Spare, in the Kuan Hang Hang, and request me to ask Dr Spare to examine them &c.-

In accordance with this Dr Spare proceeded to the City and examined the premises in question, on the 21st inst., and has since reported to me regarding the two places. She says of one of the places, "It is large comparatively new, well built and well ordered, in fact desirable but for two objections which render it undesirable for a hospital 1st It is situated too far from the Street dispensary, and I think the dispensary

dispensary should not be removed from its present central position.

2nd At the rear of the building there are certain walls or partitions which from their position and inaccessibility to circulatory currents of air and from their absorbtion of moisture cause it to be most inappropriate for hospital purposes."

This being the case, I trust Y. E. will lose no time in finding a situation against which no objection can be urged. I have been informed that several houses are now for sale in the immediate vicinity of the East Street dispensary. I have heretofore addressed H. E. the Viceroy on the importance of the hospital being very near the dispensary, especially if it is desired to avoid the alterations of the buildings.

Wishing you well

(With a card.)

Enclosure 11/56.

Mr. Mingaie to Viceroy No. -

June, 30th, 1883.

Sir,

I have had the honour to receive Y.E.'s despatches of the 11th and 17th instants, relative to the matter of Dr. Sparr's hospital in the city. I beg you to excuse my delay in replying thereto, since I had hoped that some suitable place, other than the one first purchased being found, I might be able to report the case satisfactorily closed.

I regret very much that my writer, in copying my despatches into Chinese, used expressions which gave Y.E. an impression that I was lacking in due respect to yourself, and in politeness* in speaking of the note of Pan Taotai. While it is my duties to speak plainly and truthfully regarding -

* Politeness - mistranslated properly Y.R.C's.

regarding the conduct of matters — which may be under discussion, I trust I shall never deserve to be charged with a want of due consideration in my intercourse with any officials; and so, I hope H. E. will not believe that I have a heart to be wanting in respect to yourself. —

While thus apologizing for my own apparent shortcomings, it is my duty to call H. E.'s notice to a point in which I think your own despatch of the 11th inst. will fail to be satisfactory to H. E. the American Minister, even if he is not seriously displeased with it. Probably through the inattention of some of your subordinates, H. E. has ignored the fact that the terms of settlement of the case, as indicated in my despatch of April, 30th, are those contained in an instruction received by me from my Minister. Your despatch in

reply

reply does not deign to note this fact, but goes on to criticize the terms as thought submitted by me the humble Consul.

There are certain points in the case in hand which H. E. the American Minister considers he has the right to insist upon under the treaty, which he and all other Diplomats consider to be the supreme law of the land, although H. E. in conversation with me the humble Consul held differently. Hence for H. E. to say that "this is not at all "an important case", cannot fail to unfavorably impress the American Minister. Surely, H. E. knows that this is not a simple question of the acquisition of a hospital site.

H. E. notes a number of points upon which I have dared to be governed by my own knowledge of facts and by the instructions of

my

my own Legation, rather than the views of the local officials; but since my views have been stated elsewhere, I will not weary Y. E. by repeating them.

I am sorry that Dr. Spaver was not able to accept either of the last two places found for her. The objections thereto have already been communicated to Pan Taotai, but I am in hopes that the Taotai will now secure one of the many locations near the dispensary.

Y. E. must yourself now be aware of the error of the neighbours in opposing the location of the women's hospital at the house first bought, since not a word of complaint has been made regarding any annoyance from a crowd. And yet, since the 1st of the 2nd Chinese month, Dr. Spaver has treated at the East Street dispensary more than 600 women and children.

Of.

Of these some ten or fifteen in a hundred would have been greatly benefited could they have received hospital treatment. - But the benevolent intention of Dr. Spare has thus far been frustrated by the opposition to her occupying the house - which she bought.

I avail myself &c &c. -

(Signed) J. C. A. Minegall.

U. S. Consul.

Enclosure 12/56.

Pan Taotai to Mr Ningate.

Without preface, in reply.
I yesterday rec'd your note in reply
that Dr Spaare had already been to -
view the two houses in the Kuan -
Hang ward sought out for hire by
the Min Magistrate; that she said
that in style and proportions the -
house was well ordered, but that
the buildings was too far from -
the East Street Dispensary, that the
wall behind cut off the wind and
took up water, and that the place
was very unsuitable. You request
that one again seek out a site
against which no objections can -
be urged. (You say) "I have now
"been informed that there are several
"places for sale very near the East
"Street Dispensary, etc. -"

Receiving this, I find as the
record shews, that De the Min -
Magistrate's

magistrate's report before came to hand that it was difficult to seek out houses, and that I at the time communicated these facts to you, the esteemed Consul, requesting you to direct Dr. Sparr to select one place definitely and speedily negotiate for its lease. The walled provincial city is densely populated, the buildings standing house to house. The Min magistrate with extreme effort found means to seek out two places in the Kuan Hang ward. As Dr. Sparr now says that the style and ordering of (these) buildings are to her liking, I still hope that you, the esteemed Consul, will urge and instruct her at an early date to take lease of one. If she wish one to seek out a building perfectly to her liking, it will really not be easy to do. As to what you point out, that there are several

houses

houses for sale at East Street, if it were
really so; do the Min magistrate
ought to have found it out before.
It is feared that what is said is
not altogether to be depended
on.

Besides sending a despatch
to the Magistrate for his information,
it is fitting that I immediately write
you in reply. I beg you the
esteemed Consul, then to Examine this,
instruct D. Spare, and favour me
with a reply. For this I shall be
obliged. I repeat wishes for your
happiness in promotion.
(July, 4th, 1863) 6th moon, 1st day.

Enclosure 13/56.

Dr. Julia E. Spaver to Mr. Wingate.

July 6th, 1883.

Dear Sir,

Since my last communication to you, after examination of certain properties within the city, which had been recommended by the Chinese authorities as suitable sites for the hospital for women and children and which I found unsuitable for my purpose, I have had other properties offered for sale.

These are within the immediate vicinity of the city dispensary situated on East St. and from the descriptions given and the plans offered for inspection I think might prove desirable for hospital purposes.

Two of the owners are literary gentlemen, the surname of one 王 the other, 張. One owner is a common citizen, surname 趙

趙.

I therefore beg of you, at your earliest convenience to intercede in the matter.

Yours ver
(Signed) Julia E. Starr.

Enclosure 11/56.

Mr. Ringate to Viceroy No.

July, 21st, 1883.

Sir,

Referring to my several communications regarding the building purchased by Dr. Speer for a woman's hospital, - and especially to the paragraph in my last one on the subject - wherein I say "I am in hopes "that the Taotai will now secure "one of the many locations near "the dispensary," I must request Y.E. to again order the proper official to find without further delay, premises that shall fully answer the requirements of the terms upon which H.E. the American Minister authorized me to settle the case. In this connection it is my duty to state, for your information, that if the reports of your subordinates

the

the Grain Taotai Han and the Min magistrate, Lo, are of the same character as are the communications of the Taotai Han to me, they are calculated to deceive H. E., as to the real facts in the case Han Taotai has written to me that the Min magistrate reported to him that it was difficult to seek out houses, and he himself says that "If she, (D. Spare) "wish me to seek out a building "perfectly to her liking, it will "really not be easy to do so".- This is not true. I know that there are several houses, conveniently situated, that the owners wish to sell, and I know that some of these houses would perfectly suit D. Spare, because she has shewn me the plans of them, and has told me that they were better than the house which she bought in the

the first place. Thus the difficulty in finding, and the opposition in selling, would seem to originate with your subordinates. It is reported, even now, that the poor people of the city are suffering much from sickness, how can the hard hearted dare to add to this suffering by opposing the hospital designed for their relief.

Having the opportunity to - again express my anxiety for your health and happiness. -

I have the -

(Signed) J. C. A. Dimgate.
U. S. Consul.

No. 283. Two Enclosures.

Legation of the United States.

Peking, November 13th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to the Secretary of State.

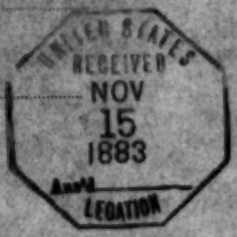
Subject.

Share of C. A. Richards in "Ward Claims."

Synopsis.

Refers to Department instruction number 100. of July 24th, and encloses draft for $728.22 U.S. gold being amount due Mr. Richards.

Hongkong & Shanghai Banking Corporation.



Tientsin Nov 14 1883

This is to certify that I have this day sold to the Honble. D. R. Young United States Minister my draft on New York for $728.22 U.S. Gold coin and that the same is the equivalent of Taels 596.41 Shanghai Specie at the current rate of Exchange.

R. J. Edwards
Agent.

No. 283. Two Enclosures.

Legation of the United States.

Peking November 13th, 1883.

Honorable F. T. Frelinghuysen.

Secretary of State.

Sir:

Referring to that part of your instruction number 150. of July 24th, in which I am directed to remit to the Department that portion of the "Ward "claims" which belongs to Mr. C. A. Richards, I have the honor to enclose herewith the first of a draft on the Hongkong and Shanghai Banking Corporation

1/283.

Corporation for $728.22
United States gold coin,
being the equivalent of
Tails 596.41, Shanghai
silver, which latter sum
represents the amount of
Mr. Richards claim, "
principal and interest,
upon the 1st inst. "
The award of the "
arbitrators gave him $300.
This sum with interest
added amounted to Tails
583.02 upon the 15th " of
January last, and by
subsequent accretions of
interest to the sum named
above upon the 1st inst.
I enclose also a voucher
from

from the Bank showing that the amount of the draft in our currency is the commercial " equivalent of the amount due Mr. Richards. The second of this draft will follow by next mail.

The Legation is " rapidly nearing " distribution of the money collected in the "Ward "Claims", and I hope to be able at an early moment to report the final " settlement of the whole business.

I have the honor to be Sir, Your obedient servant.

Jno. Pierce Ewing.

Enclosures.

Enclosures.

1. Draft for $728.$^{20}/_{00}$ Gold coin.
2. Voucher for same.

Col Morgan

No. 284. One Enclosure.

Legation of the United States.

Peking, November 13th, 1883.

DEPARTMENT OF STATE
JAN 9 1884
RECEIVED

John Russell Young to the Secretary of State

Subject.

Account for telegrams.

Synopsis.

Covers account for certain telegrams sent in October and November.

No. 284. One Enclosure.

Legation of the United States.

Peking November 13th, 1883.

Honorable F. T. Frelinghuysen

Secretary of State.

Sir:-

I have the honor to forward herewith a statement of account for 284. telegrams sent on public service with the usual vouchers attached.

I have drawn upon you for the amount and beg that my draft may be honored.

I have the honor to be, Sir, Your obedient servant.

Jno. Russell Young

Enclosure.

Enclosure.

1. Telegram account, October – November, 1883.

Nov 13/83

END